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tended to be used, or which may be used, in evidence of that matter.

"Jail" means the Civil Jail of the District, or any place appointed by the Local Government for the confinement of persons under Civil process.

"Year" and "Month" respectively denote a year and month reckoned according to the British Calendar.

In any part of British India in which this Code operates, "Government" includes the Government of India as well as the Local Government of such part.

"Local Government" means the person authorized to administer the executive government in such part, or the chief executive Officer of such part when it is under the immediate administration of the Governor-General of India in Council, and when such Officer shall be authorized to exercise the powers vested by this Code in a Local Government.

"High Court" denotes the highest Civil Court of Appeal in such part. (S. C. C. & R. C.)

3. The Sections having the letters S. C. C. Sections of the Code extending to Small Cause Courts. extend (so far as they apply or are applicable) to Courts of Small Causes. The other Sections do not extend to such Courts. The Sections having the letters "R. C." affixed to them in a parenthesis, extend (so far as they apply or are applicable) to Revenue Courts required by any law to regulate their proceedings by this Code. The other Sections do not extend to such Courts.

4. The enactments described in Schedule A annexed to this Code, and all Enactments and rules repealed. rules relating to Civil Procedure and having the force of law in any part of British India to which this Code extends, are hereby repealed, except so far as they repeal any other enactment or rule. (S. C. C. & R. C.)

CHAPTER II.

OF THE JURISDICTION OF THE COURTS.

5. The Courts shall try all suits of a Civil Courts to try all nature excepting suits of which Civil suits, unless their cognizance is barred by specially barred. law. (S. C. C. & R. C.)

6. The Courts shall not try any suit in which Court not to try the matter in issue shall have been heard and determined by a Court of competent jurisdiction in a former suit between the same parties, or between parties under whom they or any of them claim; nor any suit in which such matter is also in issue in another suit between the same parties, or between parties under whom they or any of them claim, pending in the same or any other Court. (S. C. C. & R. C.)

7. The decrees and orders of the Courts shall Appeals, revisions and new trials to be according to rules of Code. not be open to appeal or revision, nor shall a new trial be granted, otherwise than under the rules contained in this Code or any other law. (S. C. C. & R. C.)

8. No person shall, by reason of his descent or place of birth, be in any Civil proceeding exempted from the jurisdiction of any of the Courts. No person exempt from jurisdiction by reason of descent or place of birth. (S. C. C. & R. C.)

9. Every person shall be entitled to sue except Persons entitled persons expressly prohibited from suing by any law. An Executor or Administrator, a trustee of an express trust, a guardian or next friend of an infant, or the next friend of a lunatic or idiot, may, with the permission of the Court, sue without joining with him the person for whose benefit the suit is brought. (S. C. C. & R. C.)

10. Subject to the petuniary or other limitations prescribed by any law, the Jurisdiction of Courts of each grade shall try all suits cognizable by them, if in the case of suits for immovable property the property be situate, and if, in all other cases, the cause of action shall have arisen, or the defendant at the time of the commencement of the suit shall dwell, or carry on business, or personally work for gain, within the local limits of the jurisdiction of the Court.

Explanations.—(a) The cause of action may be deemed to have arisen where a contract was made, or where it was to be fulfilled, or where any material act in connection therewith was to be done.

(b) Where a person has a permanent dwelling at one place and also a lodging at another place for a temporary purpose only, he shall be deemed to dwell at both places in respect of any cause of action arising at the place where he has such temporary lodging.

(c) A Corporation or Company shall be deemed to carry on business at its sole or principal Office, or at any place where it has also a subordinate Office in respect of any cause of action arising at such place.

(d) The business contemplated in this Section must be carried on at some fixed place for at least a certain time. (S. C. C.)

11. Suits against the Local Government, or the Government of India, not being suits for immovable property, shall be brought in the Court having jurisdiction at the place which is the seat of such Government and competent in respect of the amount or value of the subject of the suit to try the same. (S. C. C.)

12. Suits against the Secretary of State, not being suits for immovable property, shall be brought in the Court having jurisdiction at the place which is the seat of the Local Government for the Territories in which the cause of action arose, and competent in respect of the amount or value of the subject of the suit to try the same. (S. C. C.)

13. Every suit shall be instituted in the Court of the lowest grade competent to try it where no option as to the selection of the Court is allowed by this Code or any other law. (S. C. C. & R. C.)

14. The District Court may withdraw any suit instituted in any Court subordinate to such District Court, and try the suit itself, or transfer it for trial to any other such subordinate Court competent in respect of the amount, or value of the subject of the suit to try the same.

15. The High Court may order that the cognizance of any suit or appeal instituted in any subordinate Court other than a Court of Small Causes, shall be transferred to any other subordinate Court, not being a Court of Small Causes, competent in respect of the amount or value of the subject of the suit or appeal to try the same.

16. Every suit shall include the whole of the claim arising out of the cause of action; but a plaintiff may relinquish any portion of his claim in order to bring the suit within the jurisdiction of any Court. If a plaintiff relinquish or omit to sue for any portion of his claim, a suit for the portion so relinquished or omitted shall not afterwards be entertained. (S. C. C. & R. C.)

17. Two or more claims founded on distinct causes of action by and against the same parties, and cognizable by the same Court, may be joined in the same suit, provided that in respect of the amount or value of the subject-matter in suit, the entire claim does not exceed the jurisdiction of the Court, and, where a stamp is required, is covered by the stamp on which the plaint is written. (S. C. C. & R. C.)

18. If two or more claims founded on distinct causes of action be joined in one suit, and the Court shall be of opinion that they cannot conveniently be tried together, the Court may, at any stage of the suit, order such claims, or any of them, to be tried separately on the record as made up. (S. C. C. & R. C.)

19. A claim for immovable property and a claim for the mesne profits of such property may be deemed to be founded on distinct causes of action within the meaning of the last two preceding Sections.

20. If the suit be for immovable property situate within the limits of a single District, but within the jurisdiction of different Courts, the suit may be brought in the Court within whose jurisdiction any portion of the property is situate, provided that, in respect of the value of the property in suit, the entire claim be cognizable by such Court. In such case the Court in which

the suit is brought shall apply to the District Court for authority to proceed with the same, and the District Court, after hearing the objections, if any, of the defendant, may grant such authority.

21. If the immovable property be situate within the limits of different Districts, the suit may be brought in any Court, otherwise competent to try it, within whose jurisdiction any portion

of the property is situate. In such case the Court in which the suit is brought shall apply to the High Court for authority to proceed with the same. If the suit is brought in any Court subordinate to a District Court, the application shall be submitted through the District Court to which such Court is subordinate. The High Court after hearing the objections, if any, of the defendant, may grant such authority.

22. If the Districts within the limits of which the immovable property is situate, are subject to different High Courts, the application shall be submitted to the High Court to which the District in which the suit is brought is subordinate; and such High Court may, after hearing the objections, if any, of the defendant, give authority to proceed with the suit.

23. If in a suit for immovable property situate on the border of the local limits of the jurisdiction of the Court, the defendant object to the hearing of the suit on the ground that the property is not situate within such limits, the Court shall have power to determine the point; and if the Court shall find that the property is situate within such limits, it shall proceed to try the suit.

24. If a contract shall have been entered into which involves for its performance separate or successive acts, a suit may be brought to enforce the performance of any one or more of such acts, without waiting for the time when the whole of the acts required to be performed under the contract ought to have been performed; and the Court may order the defendant specifically to perform any one or more of such acts without ordering him specifically to perform the entire contract, imposing such terms, if any, upon the plaintiff as shall seem to the Court to be just. (S. C. C.)

25. The Court shall not decree the specific performance of any contract the complete performance of which is necessarily extended over a longer period than five years. This rule shall not apply to any contract which shall have been entered into before the passing of this Act: Provided that the Court shall not decree the specific performance of any such contract for a longer period than five years from the date of the decree. (S. C. C.)

26. No suit shall be open to objection on the ground that a merely declaratory decree or order is sought thereby; and it shall be lawful

for the Courts to make binding declarations of right, whether present or future, without granting consequential relief: Provided that no Court shall make any such decree or order unless it could, if required, act upon it by giving consequential relief. A trustee may institute a suit to obtain a declaration of the respective rights of the persons interested in the trust estate.

CHAPTER III.

GENERAL RULES.

27. Any appearance, act or application in or to any Court, made or done by a party to a suit in such Court, may, except when otherwise expressly provided by this Code, be made or done by the party in person or by his recognized agent, or by an Advocate duly appointed to act on his behalf: Provided that any such appearance shall be made by the party in person if the Court shall so direct. (S. C. C. & R. C.)

28. When there are more plaintiffs than one, any one or more of them may be authorized to appear, plead and act for any other of them: and in like manner when there are more defendants than one, any one or more of them may be authorized to appear, plead and act for any other of them: Provided that the authority shall be in writing signed by the parties giving it, and shall be filed in Court. (S. C. C. & R. C.)

29. The recognized agents of parties by whom such appearances, acts and applications may be made or done are—

1st—Persons holding general powers of attorney from parties not within the jurisdiction of the District Court within the limits of which the appearance or application is made, authorizing them to make and do such appearances, acts and applications on behalf of such parties.

2ndly—Persons carrying on trade or business for and in the names of parties not within the jurisdiction of the District Court within the limits of which the appearance, act or application is made or done in matters connected with such trade or business only, where no other agent is expressly authorized to make and do such appearances, acts and applications.

3rdly—Persons being *ex-officio* or otherwise authorized to act for Government in respect of any judicial proceeding.

4thly—Persons specially appointed by an order of Government, at the request of any Sovereign Prince or independent Chief, whether residing within or without British India, to prosecute or defend a suit on his behalf.

5thly—Persons holding special powers of attorney from parties who by reason of bodily infirmity are unable without risk or serious inconvenience to attend the Court in person, authorizing them to appear, sue, or defend in a particular suit.

6thly—Persons holding special powers of attorney from women exempt under Section 41 from appearing in Court authorizing them to appear, sue or defend in a particular suit. (S. C. C. & R. C.)

30. Processes served on a recognized agent relative to a suit shall be as effectual for all purposes in relation to the suit as if the same had been given to or served on the party in person, unless the Court shall otherwise direct. The provisions of this Code relative to the service of process on a party to a suit shall be applicable to the service of process on such recognized agent. (S. C. C. & R. C.)

31. The appointment of an Advocate to make or do any appearance, act or application as aforesaid shall be in writing under the hand of the client and shall be filed in Court. When so filed, it shall be considered to be in full force until revoked by a writing filed in Court, or until the Advocate dies or the suit is determined. (S. C. C. & R. C.)

32. Processes served on the Advocate of any party or left at the office or ordinary residence of such Advocate, relative to a suit, and whether the same be for the personal appearance of the party or not, shall be presumed to be duly communicated and made known to the party whom the Advocate represents; and, unless the Court shall otherwise direct, shall be as effectual for all purposes in relation to the suit as if the same had been given to or served on the party in person. (S. C. C. & R. C.)

33. In all cases in which a party to a suit has not appointed an Advocate to act for him, all processes shall be served upon such party in the manner hereinafter provided for the service of a summons upon a defendant to appear and answer. (S. C. C. & R. C.)

34. Besides the recognized agents described in Section 29, any person residing within the jurisdiction of the Court may be appointed an agent to receive processes. The appointment of such agent shall be in writing, signed by the principal, and the original appointment, or a copy thereof if the appointment be a general one, shall be filed in Court. (S. C. C. & R. C.)

35. The person appointed to act as Advocate on the part of Government in any Court, shall be accounted the agent of the Government for the purpose of receiving processes against the Government or the Secretary of State for India, issuing out of the Court in which such person may be the Advocate of Government. (S. C. C. & R. C.)

36. The person appointed to act as Advocate on the part of Government in any District Court shall, for the purpose of the last preceding Section, be considered the Advocate of Government in any Court in such District in which no person shall have been specially appointed Advocate on the part of Government in such Court. Processes issued by a Court to the Government Advocate of another Court may be forwarded to him by post. (S. C. C. & R. C.)

37. When any Officer or Soldier in the Military Service of the Government is a party to a suit, and cannot obtain leave of absence for the purpose of prosecuting or defending the suit in person, he may authorize any person to sue or defend in his stead. The authority shall be in writing and shall be signed by the Officer or Soldier in the presence of his Commanding Officer or of the next subordinate Officer, if the party be himself the Commanding Officer. Such Commanding or other Officer shall countersign the authority, which shall be filed in Court. When so filed, the countersignature of the Commanding Officer or of the next subordinate Officer, as the case may be, shall be sufficient proof that the authority was duly executed, and that the Officer or Soldier by whom it was granted could not obtain leave of absence for the purpose of prosecuting or defending the suit in person. (S. C. C. & R. C.)

38. Any person who shall be authorized by an Officer or Soldier to prosecute or defend a suit in his stead, shall be competent to prosecute or defend it in person in the same manner as the Officer or Soldier could do if present; or he may appoint an Advocate to prosecute or defend the suit on behalf of such Officer or Soldier. (S. C. C. & R. C.)

39. Processes served upon any person who shall have been authorized by an Officer or Soldier, as in the last preceding Section mentioned, or upon any Advocate who shall be appointed as aforesaid by such person to act for or on behalf of such Officer or Soldier, shall be as effectual for all purposes relative to the suit as if the same had been served on the party in person or on an Advocate appointed by him. (S. C. C. & R. C.)

40. An infant shall sue by guardian or next friend, who shall be admitted and may be removed by the Court and shall be liable for the costs of the suit. An infant shall be sued by guardian who shall be admitted and may be removed by the Court.

EXEMPTION FROM PERSONAL APPEARANCE.

41. Women, who according to the customs and manners of the country ought not to be compelled to appear in public, shall be exempt from personal appearance in Court. (S. C. C. & R. C.)

42. The local Government may, at its discretion, exempt from personal appearance in Court any person whose rank, in the opinion of such Government, entitles him to the privilege of exemption, and may at its discretion withdraw such privilege. (S. C. C. & R. C.)

43. The names of the persons exempted under the last preceding Section from personal appearance in Court, residing within the jurisdiction of the District Court, shall from time to time be forwarded to such Court by the local Government, and a list of such persons shall be kept in such Court and in the several subordinate Courts of the District. (S. C. C. & R. C.)

SERVICE OF PROCESS.

44. Wherever this Code provides that any notice, summons, letter or other communication may be sent to the person to whom it is addressed by post, proof of due service and delivery of process sent by post, that the same was correctly addressed to such person at his place of residence, and that it was posted and registered according to any law for the management of the Post Office shall, in the absence of evidence to the contrary, be sufficient proof of the due service and delivery of the notice, summons, letter or other communication. (S. C. C. & R. C.)

45. Every process required to be issued under this Code, shall be served at the expense of the party whose instance it is issued, unless the Court shall otherwise direct. The sum required to defray the costs of such service shall be paid into Court before the process is issued, within a period to be fixed by the Court issuing the process. Postage, where chargeable on any notice, summons, letter or other communication forwarded by post and the fee for registering the same shall be costs required to be paid as aforesaid within the meaning of this Section. In fixing the costs to be paid for service of process, regard shall be had to any law or to any rules issued by the High Court for fixing the amount of such costs. (S. C. C. & R. C.)

46. Whenever any person not a party to the suit, shall be summoned to give evidence or to produce any document in a suit otherwise than on the application of a party to the suit, the cost of summoning such person, including his travelling and other expenses, if not deposited by any party to the suit, shall (if the Court shall so direct) be paid by the Collector of the District, and shall be costs in the suit, and shall be paid out of any money recovered on account of costs in the suit whether at the instance of the Government or of any of the parties to the suit, before any other costs in the suit are paid. (S. C. C. & R. C.)

47. Whenever any process issued by any Court established beyond the local limits of the ordinary original Civil jurisdiction of a High Court is to be served within the local limits of such Court, it shall be delivered to the Court of Small Causes within whose jurisdiction the process is to be served, or to any Court other than the High Court which may now exist or which may hereafter be established with jurisdiction within the same local limits, and shall be executed by such Court of Small Causes or other Court in the same manner as if such process had been issued by such Court of Small Causes or other Court, and, after having been so executed, shall be returned to the Court by which it was issued. The delivery of the process to the Court required to execute the same, and its return to the Court by which the process was issued, may be by an Officer of the Court which issued the process, or by post.

48. The examination of the parties to a suit or other proceeding when authorized under this Code, and the evidence of witnesses or other persons shall be upon oath or affirmation or otherwise according to the provisions of any law for the examination of witnesses. (S. C. C. & R. C.)

49. The Court may, if it see sufficient cause, direct any written document produced in Court in any suit to be impounded and kept in the custody of an Officer of the Court, for such period and subject to such conditions as to the Court shall seem fit. (S. C. C. & R. C.)

50. When security is required to be furnished by any person, the Court may permit such person to deposit a sum of money, Government Promissory Notes, or other valuable property to such amount as the Court may fix, in lieu of the security. required (S. C. C. & R. C.)

51. If any plaintiff, written statement, or declaration in writing required by this Code to be verified by the person making the verification shall know or believe to be false, or shall not know or believe to be true, such person shall be subject to punishment according to the provisions of the law for the punishment of giving or fabricating false evidence. (S. C. C. & R. C.)

52. At the time of disposing of any application made under any provision of this Code, the Court may award to either party the costs of such application, or may reserve the consideration of such costs for any future stage of the proceedings.

CHAPTER IV.

OF A SUIT TILL DECREE.

OF THE INSTITUTION OF SUITS.

53. Every suit shall be commenced by a plaintiff which shall contain the following particulars:—

- 1.—The name, description, and place of abode of the plaintiff.
- 2.—The name, description, and place of abode of the defendant, so far as they can be ascertained.
- 3.—The relief sought for, the subject of the claim, the cause of action, and where and when it accrued; and, if the cause of action accrued beyond the period ordinarily allowed by any law for commencing such a suit, the ground upon which exemption from the law is claimed.

The following are instances:—

If the suit be for money due on a bond:—Payment of Rupees
due on a bond for the sum of Rupees
bearing date the day of 186
and payable on the day of 186
namely,—

Principal Rupees
Interest at the rate of
per cent. ... Rupees
Amount paid (if any) ... Rupees

Balance due ... Rupees

If the suit be for the amount due on a bill of exchange drawn by the plaintiff and accepted by the defendant,—

Payment of Rupees being the amount of a bill of exchange for the sum of Rupees now overdue, drawn by the plaintiff on the day of 186 and accepted by the defendant, with interest thereon at per cent. till payment.

If the suit be for the price of goods sold:—

Payment of Rupees on account of maunds of (rice, indigo, sugar, or as the case may be) sold on the day of , and the price of which became payable on the day of as per account at foot.

If the suit be for money due on an account:—

Payment of Rupees due [or being the balance due] to the plaintiff on the following account.

To [here state the debit side of the account] Rupees
Cr.

By [here state the credit side in respect of payments and set-off, if any] Rupees

Balance due ... Rupees

If the suit be for money payable for work done and materials provided:—

Payment of Rupees for [builder's, carpenter's, joiner's, plasterer's, or mason's, or as the case may be] work done at the premises in and for materials thereon provided between the of 186 and the of 186 .

If the suit be for damages for any injury done :—
Payment of Rupees on account of
injury done to the plaintiff.

[Here set out the nature of the injury, and the time at which it was inflicted, and state the particulars of the pecuniary loss (if any)].

If the plaintiff claim exemption from any law of limitation, say—"The plaintiff was an infant (or as the case may be) from the day of 186 to the day of .

4.—When the claim is for any property other than money, its value estimated according to law.

The following is an instance :—

If the suit be for an estate or for a share in an estate paying revenue to Government :—Possession of the estate (or of share in the estate) called , situate in the District of the Government Revenue assessed on which is Rupees (or the estimated value of which is Rupees) of which the plaintiff was dispossessed (or forcibly or fraudulently dispossessed, if the case be so), on the day of 186 ; (or to which plaintiff became entitled by inheritance from or, by gift, purchase, or otherwise, as the case may be), on or about the day of 186 .

5.—When the claim is for land or for any interest in land, the nature of the tenure or interest shall be specified ; and if the claim be for land forming part of a village or other known division, or for a house, garden, or the like, its situation shall be described by the setting forth of boundaries, or in such other manner as may suffice for its identification.

6.—In suits by or against the Secretary of State for India, or the Government, or one of its Officers in his official capacity, or any Corporation or Company authorized to sue and be sued in the name of an Officer or of a Trustee, the words "The Secretary of State for India," "The Government," or "The Collector of , " (or otherwise as the case may be), or the name of the Corporation, or the name of the Officer or Trustee of the Company shall be inserted in Nos. 1 and 2 instead of the name and description of the plaintiff or defendant. But in every other suit it shall be necessary to specify the names of all the parties. (S. C. C. & R. C.)

54. The plaintiff shall be subscribed by the plaintiff and his Advocate (if any), and shall be verified at the foot by the plaintiff in the manner following, or to the like effect :—

I (A. B.) the plaintiff named in the above plaint do declare that what is stated therein is true to the best of my information and belief. (S. C. C. & R. C.)

55. If the plaintiff, by reason of absence or for other good cause, be unable to subscribe and verify the plaint, the Court may allow the plaint to be subscribed and verified on his behalf by any person whom the Court may consider competent to make the verification. (S. C. C. & R. C.)

56. In suits by the Government or the Secretary of State for India, it shall be sufficient if the plaint be subscribed and verified by the Government Advocate of the Court in which the suit is brought, or, where there is no such Advocate, by the Advocate by whom the plaint is filed. (S. C. C. & R. C.)

57. In suits by a Corporation or a Company authorized to sue and be sued in the name of an Officer or of a Trustee, the plaint may be subscribed and verified on behalf of the Corporation or Company by any Director, Secretary, or other principal Officer of the Corporation or Company who is able to depose to the facts of the case. (S. C. C. & R. C.)

58. The plaint may, at the discretion of the Court, and at any time before the decree is passed, be rejected, returned for amendment within a time to be fixed by the Court, or amended then and there, upon such terms as to the payment of costs occasioned by the amendment as the Court shall think fit—

(1.) If it do not state correctly and without prolixity the several particulars hereinbefore required to be specified therein :

(2.) If it contain any particulars other than those so required :

(3.) If it be not subscribed and verified as hereinbefore required :

(4.) If it do not disclose a cause of action ; or

(5.) If the cause of action appear from the statement in the plaint to be barred by lapse of time. (S. C. C. & R. C.)

59. The plaint shall be returned to be presented to the proper Court in the following cases :—

(1.) If a suit shall have been instituted in a Court whose grade is lower or higher than that of the Court competent to try it where such Court exists, or where no option as to the selection of the Court shall be allowed by law.

(2.) If in a suit relating to immovable property, it appear that no part of such property is situate within the local limits of the Court.

(3.) If in a suit relating to immovable property, it appear that such property has been adjudged by competent authority to be situate within the local limits of the jurisdiction of another Court.

(4.) If in any other case it appear that the cause of action did not arise and that none of the defendants are dwelling or carrying on business or personally working for gain within the local limits of the jurisdiction of the Court. (S. C. C. & R. C.)

60. The plaint shall be rejected in the following cases :—

(1.) If the claim is undervalued and the plaintiff, on being required by the Court to correct the

valuation within a time to be fixed by the Court, shall fail to do so.

(2.) If the claim is properly valued, but the plaint is written upon paper insufficiently stamped, and the plaintiff, on being required by the Court to supply the requisite stamp paper, within a time to be fixed by the Court, shall fail to do so.

(3.) If in the case mentioned in Section 63, the plaintiff fail to furnish security for the payment of the costs that may be incurred by the defendants. (S. C. C. & R. C.)

61. If in any suit there are more defendants than one, and at the date of the institution of the suit any of the defendants shall not dwell within the local limits of the jurisdiction of the Court in which the suit is brought, but one or more of the defendants shall dwell within such limits, the suit shall not be ejected as against the defendant or defendants so dwelling, by reason of any of the defendants not dwelling within the local limits of the jurisdiction of the Court. (S. C. C. & R. C.)

62. The rejection of the plaint on any of the grounds hereinbefore mentioned shall not preclude the plaintiff from presenting a fresh plaint in respect of the same cause of action, if not barred by the law of limitations. (S. C. C. & R. C.)

63. When the plaintiff ordinarily dwells out of British India, and does not possess any sufficient immovable property within British India independent of the property in suit, he shall, on presenting the plaint or within such time as the Court shall order, furnish security for the payment of the costs that may be incurred by the defendant. (S. C. C.)

64. If at any subsequent stage of a suit it shall appear to the Court that a sole plaintiff is, or that all the plaintiffs (when there are more plaintiffs than one) are, residing out of British India, and such plaintiff or plaintiffs shall not possess any sufficient immovable property within British India independent of the property in suit, the Court may order the plaintiff or plaintiffs, within a time to be fixed by the order, to give security for the payment of all costs incurred and likely to be incurred by the defendant. In the event of such security not being furnished within the time so fixed, the Court shall pass a decree against the plaintiff or plaintiffs by default, unless he or they be permitted to withdraw from the suit under the provisions of Section 143.

Explanation.—A person is considered to be resident out of British India, within the meaning of the last two preceding Sections, who leaves British India for a purpose which is likely to keep him abroad for such a length of time that there is no reasonable probability that he will be forthcoming when he may be called upon to pay the costs incurred by the defendant in the suit. (S. C. C.)

65. If the suit be for immovable property situate partly within the jurisdiction of the Court and partly within the jurisdiction of some other Court, the Court shall proceed according to the rules contained in Section 20, Section 21, or Section 22, as the case may be.

66. If the Court consider the plaint admissible, the particulars mentioned in Section 53 shall be entered in a book to be kept for the purpose, and called the Register of Civil suits. The entries shall be numbered in every year according to the order in which the plaint is presented. The Register shall be kept in the form contained in the Schedule B annexed to this Code. (S. C. C. & R. C.)

67. If a plaintiff sue upon a written document in his own possession or power, he shall produce such document in Court when the plaint is presented, and shall at the same time deliver a copy of the document to be filed with the plaint. Such copy shall have the stamp prescribed for petitions where a stamp is required for petitions. The plaintiff may, if he think proper, deliver the original document to be filed instead of a copy. If he rely on any other documents as evidence in support of his claim, he shall enter a list of such documents at the foot of the plaint. (S. C. C. & R. C.)

68. If the document on which the plaintiff sues be an entry in a shop-book, &c., to book or other book, the plaintiff shall produce the book to the Court, together with a copy of the entry on which he relies. Such copy shall bear the stamp prescribed for petitions where a stamp is required for petitions. (S. C. C. & R. C.)

69. The Court shall forthwith mark the document for the purpose of identification; and after examining and comparing the copy with the original, shall return the document to the plaintiff. (S. C. C. & R. C.)

70. No document required to be produced in Court by the plaintiff when the plaint is presented, or to be entered at the foot of the plaint, and not produced or entered accordingly, shall be received in evidence on his behalf at the hearing of the suit without the sanction of the Court. (S. C. C. & R. C.)

71. If the plaintiff require the production of any written document in the possession or power of the defendant, he may, at the time of presenting the plaint, deliver to the Court a description of the document, and apply that the defendant may be re-

quired to produce the same, and the Court shall have power to compel such production. (S. C. C. & R. C.)

OF SUMMONING THE DEFENDANT.

72. After the plaint has been registered, a summons, under the signature of the Judge or of the Registrar or Clerk of the Court, and under the seal of the Court, shall be issued to the defendant to appear and answer the claim, on a day to be therein specified, in person or by an Advocate duly instructed and able to answer all material questions relating to the suit, or by an Advocate who shall be accompanied by some other person able to answer all such questions. (S. C. C. & R. C.)

73. If the Court see reason to require the Court may order personal appearance of the defendant or plaintiff defendant, the summons shall order him to appear in person in Court on the day therein specified. If the Court see reason to require the personal appearance of the plaintiff on the same day, it may make an order for such appearance. (S. C. C. & R. C.)

74. In suits by or against a Corporation or a Company authorized to sue and be sued in the name of an Officer or of a Trustee, the Court may require the personal appearance of any Director, Secretary, or other Principal Officer of the Corporation or Company who may be able to answer all material questions relating to the suit. (S. C. C. & R. C.)

75. No plaintiff or defendant shall be ordered to appear in person, who at the time is *bona fide* residing at a distance of more than fifty miles from the place where the Court is held, unless he be resident within the local limits of the jurisdiction of the Court; or unless railway communication exist between the place where he resides and the place where the Court is held, or within a convenient distance from such places, in which case the Court shall have a discretion as to making such order. (S. C. C. & R. C.)

76. The Court shall determine, at the time of issuing the summons, whether it shall be for the settlement of issues only, or for the final disposal of the suit, and the summons shall contain a direction accordingly.

77. In every suit cognizable under any law by Courts of Small Causes, the summons to the defendant shall be for the final disposal of the suit. (S. C. C. & R. C.)

78. The day for the appearance of the defendant shall be fixed by the Court with reference to the place of residence of the defendant and the time necessary for the service of the summons; and the day shall be so fixed as to allow the defendant a sufficient time to enable him to appear and answer on such day. (S. C. C. & R. C.)

79. The summons to appear and answer shall order the defendant to produce any written document in his possession or power, of which the plaintiff demands inspection, or upon which the defendant intends to rely in support of his case. (S. C. C. & R. C.)

80. When the summons is for the final disposal of the suit, it shall direct the defendant to produce on the day fixed for his appearance the witnesses upon whose evidence he intends to rely in support of his case. A similar direction shall be given to the plaintiff at the time of issuing the summons. (S. C. C. & R. C.)

81. The summons shall be in the form contained in the Schedule C annexed to this Code, or to the like effect; and shall contain a demand of the costs incurred to the time of payment. (S. C. C. & R. C.)

SERVICE OF SUMMONS ON THE DEFENDANT.

82. The summons shall be delivered to the proper Officer of the Court, to be served by him or one of his subordinates. (S. C. C. & R. C.)

83. Service of the summons shall be made by delivering or tendering a copy thereof under the signature of the Judge or of the Registrar or Clerk of the Court and under the seal of the Court. (S. C. C. & R. C.)

84. When there are more defendants than one, service of the summons shall be made on each defendant: Provided that if the defendants are partners, and the suit relates to a partnership transaction, service on one defendant for himself and for the other defendants shall be sufficient, unless the Court shall otherwise direct. (S. C. C. & R. C.)

85. Whenever it may be practicable, the service shall be on the defendant in person, unless he have an agent empowered to accept the service, in which case service on such agent shall be sufficient. (S. C. C. & R. C.)

86. In a suit relating to any business or work for gain, service on the servant or agent of the person carrying on such business or work shall be deemed to be good service upon such person, although he

does not reside within the local limits of the jurisdiction of the Court from which the summons issues: Provided that such servant or agent at the time of service personally carries on the business or work for gain for such person within such limits. (S. C. C.)

87. If the defendant cannot be found and if he have no agent empowered to accept the service of the summons on his behalf, the service may be made on any adult male member of the family of the defendant who is residing with him.

Explanation.—A servant is not a member of the family within the meaning of this Section. (S. C. C. & R. C.)

88. When the summons is served on the defendant personally, or on an agent or other person on his behalf, the serving Officer shall require the signature of the person on whom the service shall be made, to an acknowledgment of service to be endorsed on the original summons or on a duplicate thereof signed and sealed as aforesaid. If such person refuse to sign the acknowledgment, the serving Officer may affix the copy of the summons on some conspicuous part of the house in which the

defendant is dwelling, but though copy not affixed, shall be held sufficient if it be proved to the satisfaction of the Court, notwithstanding that a copy of the summons shall not have been so affixed. (S. C. C. & R. C.)

89. If the defendant cannot be found and there is no agent empowered to accept the service of the summons on his behalf, nor any other person on whom the service can be lawfully made, the serving Officer shall fix the copy of the summons on some conspicuous part of the house in which the defendant is dwelling. (S. C. C. & R. C.)

90. If the defendant is not dwelling in the place mentioned in the summons, the serving Officer shall return the summons to the Court from which it issued, with an endorsement thereon that he has been unable to serve it: Provided that if the

Proviso. the serving Officer is informed that the defendant is to be found or has his dwelling in a place within the local limits of the jurisdiction of the Court other than that mentioned in the summons, the Officer may proceed to that place to serve the summons, and may serve it there. (S. C. C. & R. C.)

91. The serving Officer shall, in all cases in which the summons has been served, endorse on the original summons or on a duplicate thereof signed and sealed as aforesaid, the time when and the manner in which the summons was served, and such endorsement shall

be evidence of the service of the summons (S. C. C. & R. C.)

92. When a summons is returned without having been served, if the plaintiff shall satisfy the Court that there is reasonable ground for believing that the defendant is keeping out of the way for the purpose of avoiding the service, or if for any other reason the summons cannot be served, the Court shall order the summons to be served by affixing a copy thereof in some conspicuous place in the Court-house, and also upon some conspicuous part of the house in which the defendant shall have last resided, if it be known where he last resided; or that the summons shall be served in such other manner as the Court shall think proper. The service which shall be substituted by order of the Court, shall be as effectual as if it had been made in any of the modes hereinbefore mentioned. (S. C. C. & R. C.)

93. If the defendant is resident within the jurisdiction of any Court other than the Court in which the suit is instituted, and has no agent empowered to accept the service of the summons, the Court in which the suit is instituted shall send the summons, either by an Officer of the Court or by post, to any Court, not being a High Court, having jurisdiction at the place where the defendant resides, by which it can be most conveniently served, and shall fix such time for the appearance of the defendant as the case may require. The Court to which the summons is sent shall, upon receipt thereof, deliver it to the proper Officer of such Court, to be served in the manner hereinbefore directed. Upon the return of the summons by the serving Officer, it shall be sent back to the Court from which it originally issued. (S. C. C. & R. C.)

94. If the defendant be in Jail under either Civil or Criminal process, the summons shall be delivered to the Officer in charge of the Jail in which the defendant is confined, and such Officer shall cause the summons to be served upon the defendant. The summons shall be returned to the Officer from whom it was received with the acknowledgment of the defendant endorsed thereupon and countersigned by the Officer in charge of the Jail. (S. C. C. & R. C.)

95. If the Jail in which the defendant is confined is not in the District in which the suit is brought, the summons may be sent by post or otherwise to the Officer in charge of such Jail, and such Officer shall cause the summons to be served upon the defendant, and shall return the summons to the Court from which it issued, with the acknowledgment of the defendant endorsed thereupon, and countersigned as provided in the last preceding Section. (S. C. C. & R. C.)

96. If the defendant is resident out of British India, and has no agent empowered to accept the service, the summons shall be addressed to the defendant at the place where he is residing and forwarded to him by post if there be a post to such place. (S. C. C.)

Service of summons when defendant resides out of British India and has no agent to accept service.

97. If there be a British Resident or Agent of Government in or for the Territory in which the defendant is residing, the summons may be sent to such Resident or Agent, by post or otherwise, for the purpose of being served upon the defendant; and if the Resident or Agent shall return the summons with his endorsement that the summons has been served on the defendant, such service shall be deemed good service. (S. C. C.)

Service through a British Resident or Agent of Government.

98. In any case falling within the last two preceding Sections, the time for the appearance of the defendant shall be regulated by the time which may be required for communication by post or otherwise between the place at which the Court is held and the place where the defendant resides; and if, on the day fixed for the hearing of the suit, or on any day to which the hearing shall have been adjourned, the defendant shall not appear, the plaintiff may apply to the Court, and the Court may direct that the plaintiff shall be at liberty to proceed with his suit in such manner and subject to such conditions as to the Court may seem meet. (S. C. C.)

Time for appearance under Section 96, or 97.

In case of non-appearance of defendant, Court may direct suit to proceed subject to conditions.

99. In a suit for immovable property, if the summons cannot be served on the defendant in person, and the defendant have no agent empowered to accept the service of the summons, it may be served on any agent of the defendant in charge of such property. (R. C.)

In suits for immovable property, service on agent in charge.

100. If the defendant be in the service of the Government, the Court may send a copy of the summons to the head Officer of the office in which the defendant is employed, for the purpose of being served on him, if it shall appear to the Court that the summons may be most conveniently so served. (S. C. C. & R. C.)

Service on Government servants.

101. If the defendant be an Officer or Soldier in the Military Service of the Government, the Court shall transmit a copy of the summons to the Commanding Officer of such Officer or Soldier for the purpose of being served on him. The Officer to whom the summons is transmitted, after causing the summons to be served on the person to whom it is addressed, if practicable, shall return it to the Court with the written acknowledgment of such person endorsed thereon. If from any cause the summons cannot be served upon the person to whom it is addressed,

Service on Officers and Soldiers.

it shall be returned to the Court by which it was transmitted with information of the cause which has prevented the service. In such case the Court shall take such other means of serving the summons as it may think fit. (S. C. C. & R. C.)

102. When the suit is against a Corporation or a Company authorized to sue and be sued in the name of an Officer or of a Trustee, the summons may be served by leaving the same at the registered office (if any) of the Corporation or Company, or sending it by post in a letter addressed to such Officer or Trustee at the Office of the Corporation or Company, or by giving it to any Director, Secretary, or other principal Officer of the Corporation or Company. (S. C. C. & R. C.)

Service on a Corporation or Company.

103. Nothing herein contained shall prevent the Court from substituting for the summons a letter signed by the Judge or Registrar or Clerk of the Court, and under the seal of the Court, when the person whose appearance is required is of a rank which entitles him to such mark of consideration. The letter shall contain all the particulars required to be stated in the summons, and, subject to the provisions contained in the next succeeding Section, shall be treated in all respects as a summons. (S. C. C. & R. C.)

Substitution of letter for summons.

104. When a letter or other communication is substituted for a summons, it may be sent by post or by a special messenger selected by the Court, or in any other manner which the Court may direct: unless the party shall have an agent empowered to accept the service of the summons, in which case delivery to such agent shall be deemed good service. (S. C. C. and R. C.)

Mode of sending such letter.

OF SUITS AGAINST GOVERNMENT AND PUBLIC OFFICERS.

105. If the suit be against the Secretary of State for India or against the Government, the summons shall be served on the Government Advocate of the Court in which the suit is instituted or on any other person appointed to receive process on behalf of the Government. (S. C. C. & R. C.)

Service on Government Advocate.

106. The Court, in fixing the day for the Secretary of State for India or the Government to answer to the plaint, shall allow a reasonable time for the necessary communication with the Government through the proper channels, and for the issue of instructions to the Government Advocate to appear and answer on behalf of the Secretary of State for India or the Government, and may extend the time at its discretion on application being made for such extension. The Court may also in any case in which the Government Advocate is not accompanied by some person on the part of the Secretary of State for India or the Government

Appearance and answer by Secretary of State or Government.

who may be able to answer any material questions relating to the suit, direct the attendance of such person. (S. C. C. & R. C.)

107. If the suit be against an Officer of the Government for an act which the plaintiff alleges to have been done by such Officer in his official capacity, the summons shall be served upon such Officer in the manner provided in Section 100. (S. C. C. & R. C.)

108. If the Officer on receiving the summons shall consider it proper to make a reference to the Government before answering to the plaint, he may apply to the Court to grant such extension of the time fixed in the summons as may be necessary to enable him to make such reference and to receive orders thereon through the proper channel; and the Court upon such application may extend the time for so long as shall appear to be requisite. (S. C. C. & R. C.)

109. If the Government undertake the defence of a suit of the nature referred to in Section 107, the Government Advocate, upon being furnished with authority to appear and answer to the plaint, shall apply to the Court, and upon such application the Court shall cause a note of his authority to be entered in the Register. (S. C. C. & R. C.)

110. If such application shall not be made by the Government Advocate on or before the day fixed in the notice for the defendant to appear and answer to the plaint, the case shall proceed as in a suit between private parties. But defendant not liable to arrest before judgment. (S. C. C. & R. C.)

111. If in a suit against an Officer of the Government the Court shall require the personal appearance of the defendant, and the defendant shall satisfy the Court that he cannot absent himself from his duty without detriment to the public service, the Court shall exempt him from appearing in person, but he shall be liable to be examined in any way in which an absent witness may be examined. (S. C. C. & R. C.)

OF MAKING PERSONS NOT BEFORE THE COURT PARTIES TO A SUIT.

112. If it appear to the Court at any stage of a suit, that any person who may be entitled to, or who may claim some share or interest in, the subject-matter of the suit, and who may be likely to be affected by the result, has not been made a party to the suit, the Court may direct that persons appearing to be interested in a suit shall be made parties, and may cause notices to be served on them.

the Court may direct that such person shall be made either plaintiff or defendant in the suit as the case may be. In such case the Court shall issue a notice to such person in the manner hereinbefore provided for the service of a summons on a defendant. (S. C. C. & R. C.)

OF ARREST BEFORE JUDGMENT.

113. If at any stage of a suit for moveable property, when defendant is about to leave the jurisdiction, &c., the plaintiff may apply that security be taken. In suits for moveable property the plaintiff shall satisfy the Court that the defendant, with intent to avoid or delay the plaintiff, or to obstruct or delay the execution of any decree that may be passed against him, has absconded, or is about to abscond or to leave the jurisdiction of the Court, or has disposed of or removed from the jurisdiction of the Court his property or any part thereof, the plaintiff may apply to the Court that security be taken for the appearance of the defendant to answer any decree that may be passed against him in the suit. (S. C. C. & R. C.)

114. If the Court, after examining the applicant, and making such further investigation as it may consider necessary, shall find that the defendant has absconded, or that there is good ground for believing that he is about to abscond or to leave the jurisdiction of the Court with the intent of avoiding or delaying the plaintiff, or that he has disposed of or removed from the jurisdiction of the Court his property or any part thereof with the intent to obstruct or delay the execution of any decree that may be passed against him, the Court may issue an order for bringing the defendant before the Court to show cause why he should not give security for his appearance. (S. C. C. & R. C.)

115. If the defendant fail to show such cause, the Court shall order him either to deposit in Court money or other property sufficient to answer the claim against him, or to give security for his appearance at any time when called upon while the suit is pending, and until execution or satisfaction of any decree that may be passed against him in the suit. The surety shall bind himself, in default of such appearance, to pay any sum of money that may be adjudged against the defendant in the suit, with costs. (S. C. C. & R. C.)

116. If the defendant fail to comply with such order to give security, the Court may commit him to Jail until the decision of the suit or for such other time as the Court shall direct. (S. C. C. & R. C.)

117. The surety for the appearance of the defendant may at any time apply to the Court in which he became such surety to be discharged from his obligation. On such application being made, the Court shall summon the defendant to appear, or

if it shall think fit, may issue a warrant for his arrest in the first instance. On the appearance of the defendant pursuant to the summons or warrant, or on his voluntary surrender, the Court shall direct the surety to be discharged from his obligation, and shall call upon the defendant to find fresh security. (S. C. C. & R. C.)

118. In the event of the defendant not furnishing fresh security, the Court may commit him to Jail until the decision of the suit, or, if judgment be given against him, until the execution of the decree, or for such time as the Court shall direct. (S. C. C. & R. C.)

119. If it shall appear to the Court that the defendant arrested or suit instituted on insufficient grounds, or if, after such arrest, the suit of the plaintiff is dismissed, or judgment is given against him by default or otherwise, and it shall appear to the Court that there was no probable ground for instituting the suit, the Court may, on the application of the defendant, award against the plaintiff in its decree such amount, not exceeding the sum of one thousand Rupees, as it may deem a reasonable compensation to the defendant for any injury or loss which he may have sustained by reason of such arrest: Provided that the Court shall not award a larger amount of compensation under this Section than it is competent to such Court to decree in an action for damages. An award of compensation under this Section shall bar any suit for damages in respect of such arrest. (S. C. C. & R. C.)

120. If in any suit the defendant is about to leave British India with intent to remain absent so long that the plaintiff will or may thereby be obstructed or delayed in the execution of any decree that may be passed against the defendant, the plaintiff may make an application to the Court to the effect and in the manner aforesaid, and the procedure thereupon shall be in all respects the same as hereinbefore provided. (S. C. C.)

OF ATTACHMENT BEFORE JUDGMENT.

121. If in any suit the defendant, with intent to obstruct or delay the execution of any decree that may be passed against him, is about to dispose of the whole or any part of his property, or to remove the same from the jurisdiction of the Court in which the suit is pending, or if the defendant with like intent shall have quitted the jurisdiction, leaving therein property belonging to him, the plaintiff may at any stage of the suit apply to the Court to call upon the defendant to furnish security to fulfil any decree that may be passed against him in the suit, and, on his failing to give such security, to direct that any such property shall be attached

until the further order of the Court. (S. C. C. & R. C.)

122. The application shall contain a specification of the property required to be attached, and the estimated value of each article or item thereof; and the plaintiff shall, at the time of making the application, declare that the defendant is about to dispose of or remove his property with such intent as aforesaid. The declaration shall be in writing, and shall be verified in the manner hereinbefore provided for the verification of plaints: Provided that the Court may dispense with the specification and valuation required by this Section if satisfied of the plaintiff's inability to furnish the same. (S. C. C. & R. C.)

123. If the Court, after examining the applicant, and making any further investigation which it may consider necessary, shall be satisfied that the defendant is about to dispose of or remove his property, with intent to obstruct or delay the execution of any decree that may be passed against him in the suit, the Court may call upon the defendant, within a time to be fixed by the Court, either to furnish security in such sum as may be specified in the order, to produce and place at the disposal of the Court, when required, the said property or the value of the same, or such portion thereof as may be sufficient to fulfil the decree, or to appear and show cause why he should not furnish security. The Court may also in the order direct the attachment of the whole or any portion of the property specified in the application. (S. C. C. & R. C.)

124. If the defendant fail to show cause why he should not furnish security, or fail to furnish the security required within the time fixed by the Court, the Court may order that the property specified in the application or such portion thereof as shall appear to be sufficient to fulfil any decree which may be passed in the suit shall be attached, or it may order that the defendant be committed to custody until the decision of the suit or for such other time as the Court shall direct. (S. C. C. & R. C.)

125. If the defendant show such cause or furnish the required security, and the property specified in the application or any portion of it shall have been ordered to be attached, the Court shall order the attachment to be withdrawn. (S. C. C. & R. C.)

126. The attachment shall be made, according to the nature of the property to be attached, in the manner hereinafter provided for the attachment of property in execution of a decree for money. (S. C. C. & R. C.)

127. If any claim be preferred to the property attached before judgment, such claim shall be investigated in the manner hereinafter provided for the

investigation of claims to property attached in execution of a decree for money. (S. C. C. & R. C.)

128. When an order of attachment, before judgment is passed, the Court which passed the order shall at any time remove the attachment on the defendant furnishing the security required, together with security for the costs of the attachment. (S. C. C. & R. C.)

129. If it shall appear to the Court that the attachment was obtained on insufficient grounds, or if, after the attachment, the suit of the plaintiff is dismissed or judgment is given against him by default or otherwise, and it shall appear to the Court that there was no probable ground for instituting the suit, the Court may on the application of the defendant, award against the plaintiff in its decree such amount, not exceeding the sum of one thousand Rupees, as it may deem a reasonable compensation to the defendant for the expense or injury occasioned to him by the attachment of his property: Provided that the Court shall not award a larger amount of compensation under this Section than it is competent to such Court to decree in an action for damages. An award of compensation under this Section shall bar any suit for damages in respect of such attachment. (S. C. C. & R. C.)

130. Attachment before judgment shall not affect the rights of persons not parties to the suit, nor bar any person holding a decree against the defendant from applying for the sale of the property under attachment in execution of such decree. (S. C. C. & R. C.)

131. If it shall appear to the Court by which the property shall have been ordered to be attached before judgment, that there is reasonable ground for supposing that the decree, in satisfaction of which the sale of the property is applied for under the provisions of the last preceding Section, was obtained by fraud or other improper means, the Court may refuse to allow the property to be sold in execution if the decree be a decree of that Court, or if it be a decree of another Court, may stay the proceedings for a reasonable time to enable the person on whose application the property was ordered to be attached to adopt proceedings to set aside the decree. (S. C. C. & R. C.)

132. When land paying revenue to Government, or a tenure liable to summary sale, forms the subject of a suit, if the party in possession of such land or tenure shall neglect to pay the Government revenue, or the rent due to the proprietor of the tenure, as the case may be, and a sale shall in consequence be ordered to take place, the party so neglecting shall, upon payment

of the revenue or rent due previously to the sale (and with or without security at the discretion of the Court), be put in immediate possession of the land or tenure; and the Court in its decree may award against the defendant the amount so paid, with interest thereupon at such rate as the Court may think fit, or may charge the amount so paid, with interest thereupon at such rate as the Court may order, in any adjustment of accounts which may be directed in the decree passed in the suit.

OF EX PARTE ORDERS TO PERFORM A CONTRACT.

133. In any suit brought under Section 24 on a contract which shall have been registered under any law for the registration of assurances, the Court may, on the application of the plaintiff at the time of the institution of the suit, and if satisfied that the contract is capable of being performed by the defendant, that the plaintiff is likely to be materially prejudiced by any delay in such performance, and that the application is in good faith, make an order *ex parte* calling upon the defendant within a time to be fixed by the Court to perform the contract, or to appear and show cause why its immediate performance should not be enforced. (S. C. C.)

134. If the defendant shall not, within the time fixed by the Court, either perform the contract, or appear and show cause why the immediate performance of the contract should not be enforced, and if it shall be proved to the satisfaction of the Court that the said order was duly served upon him in any of the modes of service hereinbefore provided, the Court shall proceed at once to take such evidence as the plaintiff shall adduce in support of his claim, and, subject to the conditions contained in Section 314, thereupon give judgment and pass a decree on the judgment so given as provided in the same Section. (S. C. C.)

OF INJUNCTIONS.

135. If it be shown to the satisfaction of the Court that any property which is in dispute in a suit is in danger of being wasted, damaged or alienated by any party to the suit, the Court may issue an injunction to such party, commanding him to refrain from doing the particular act complained of, or threatened, or give such other order for the purpose of staying and preventing the wasting, damaging or alienation of the property as to the Court may seem meet.

136. The Court may, before granting an injunction, direct notice of the application for the same to be given to the opposite party.

137. Whenever it may appear to the Court to be necessary for the preservation or the better management or custody of any immovable property which is in dispute in a suit, it shall be lawful for the Court to appoint a Receiver or Manager of such property, on such

terms as to security or otherwise as to the Court shall seem fit, and if need be to remove the person in whose possession or custody the property may be from the possession or custody thereof, and to commit the same to the custody of such Receiver or Manager, and to grant to such Receiver or Manager such fee or commission on the rents and profits of the property by way of remuneration, and all such powers as to bringing and defending suits, and for the management, protection, preservation, and improvement of the property, and the collection of the rents and profits thereof, and the application and disposal of such rents and profits, as the Court may think fit.

138. If the property be land paying revenue When the Collector to Government, and the may be appointed Receiver. Court shall consider that the interests of those concerned will be promoted by the management of the Collector, the Court may appoint the Collector to be Receiver and Manager of such land, unless the Government shall by any general order prohibit the appointment of Collectors for such purpose, or shall in any particular case prohibit the appointment of the Collector to be such Receiver and Manager.

139. In any suit for restraining the defendant Injunction to re- from committing a breach of strain repetition or contract or other injury, continuance of breach. and whether damages be claimed in the suit or not, the plaintiff may, at any time after the commencement of the suit, and either before or after judgment, apply to the Court for an injunction to restrain the defendant from the repetition or the continuance of the breach of contract or wrongful act complained of, or the committing of any breach of contract or injury of a like kind arising out of the same contract or relating to the same property or right. Such injunction may be granted by the Court on such terms as to the duration of the injunction, keeping an account, giving security, or otherwise, as to the Court shall seem proper. In case of disobedience, an injunction granted under this Section or Section 135 may be enforced by the imprisonment of the defendant or the attachment of his movable property or both.

140. Any order for an injunction may be discharged or varied or set aside by the Court, on application made thereto by any party dissatisfied with such order.

141. If it shall appear to the Court that the Compensation to defendant for issue of injunction or institution of suit on insufficient grounds. injunction was applied for on insufficient grounds, or if after the issue of the injunction, the claim of the plaintiff is dismissed or judgment is given against him by default or otherwise, and it shall appear to the Court that there was no probable ground for instituting the suit, the Court may, on the application of the defendant, award against the plaintiff in its decree such sum, not exceeding one thousand rupees, as it may deem a reasonable compensation to the defendant for the expense or in-

jury occasioned to him by the issue of the injunction: Provided that the Court shall not award a larger amount of compensation under this Section than it is competent to such Court to decree in an action for damages. An award of compensation under this Section shall bar any suit for damages in respect of the issue of the injunction.

142. An award of compensation under Section 119, Section 129, or Execution of award of compensation. Section 141, shall be executed in the manner hereinafter provided for the execution of decrees for money.

OF THE WITHDRAWAL AND ADJUSTMENT OF SUITS.

143. If the plaintiff, at any time before judgment, satisfy the Court that there are sufficient grounds for permitting him to withdraw from the suit with liberty to bring a fresh suit for the same matter, the Court may grant such permission on such terms as to costs or otherwise as it may deem proper. If the plaintiff withdraw from the suit without such permission, he shall be liable for such costs as the Court shall award, and shall be precluded from bringing a fresh suit for the same matter. (S. C. C. & R. C.)

144. In any fresh suit instituted on permission granted under the last preceding Section, the plaintiff shall be bound by the law of limitations in the same manner as if the first suit had not been brought. (S. C. C. & R. C.)

145. If a suit shall be adjusted by mutual agreement or compromise, or if the defendant satisfy the plaintiff in respect to the matter of the suit, such agreement, compromise or satisfaction shall be recorded, and the suit shall be disposed of in accordance therewith. (S. C. C. & R. C.)

146. On the application of the plaintiff reciting the substance of such agreement, compromise or satisfaction, if such application shall have been presented before the suit is called up for the settlement of issues, or, in a suit in which the summons to the defendant shall be for the final disposal of the suit, if such application shall have been presented before the hearing of the suit has commenced, the Court, if satisfied that such agreement, compromise or satisfaction has been actually entered into or made, shall grant a certificate to the plaintiff authorizing him to receive back from the Collector a moiety of the stamp-duty, if any, paid on the plaint and the Collector shall pay the same: Provided that no such certificate shall be granted if the arrangement between the parties be such as to require the Court in disposing of the suit to pass a decree on which income of property can be taken out. (S. C. C. & R. C.)

**THE DEATH, MARRIAGE, AND BANKRUPTCY
OR INSOLVENCY OF PARTIES.**

147. The death of a plaintiff or defendant shall not cause the suit to abate if the cause of action survive. (S. C. C. & R. C.)

148. If there be more plaintiffs or defendants than one, and any of them die, and if the cause of action survive to the surviving plaintiff or plaintiffs alone, or against the surviving defendant or defendants, the suit shall proceed at the instance of the surviving plaintiff or plaintiffs, or against the surviving defendant or defendants. (S. C. C. & R. C.)

149. If there be more plaintiffs than one, and any of them die, and if the cause of action shall not survive to the surviving plaintiff or plaintiffs alone, but shall survive to him or them and the legal representative of the deceased plaintiff jointly, the Court may, on the application of the legal representative of the deceased plaintiff, enter the name of such representative in the Register of the suit in the place of such deceased plaintiff, and the suit shall proceed at the instance of the surviving plaintiff or plaintiffs and such legal representative of the deceased plaintiff. (S. C. C. & R. C.)

150. If no application shall be made to the Court within a reasonable time by any person claiming to be the legal representative of the deceased plaintiff, the suit shall proceed at the instance of the surviving plaintiff or plaintiffs; and the legal representative of the deceased plaintiff shall be interested in and shall be bound by the decree passed in the suit, in the same manner as if the suit had proceeded at his instance conjointly with the surviving plaintiff or plaintiffs. (S. C. C. & R. C.)

151. In case of the death of a sole plaintiff or sole surviving plaintiff, the Court may, on the application of the legal representative of the deceased plaintiff, enter the name of such representative in the place of such plaintiff in the Register of the suit, and the suit shall thereupon proceed. (S. C. C. & R. C.)

152. If no such application shall be made to the Court, within a reasonable time, by any person claiming to be the legal representative of any such deceased plaintiff as aforesaid, the Court may pass an order that the suit shall abate, and award to the defendant the costs which he may have incurred in defending the suit, to be recovered from the estate of such deceased plaintiff as aforesaid; or the Court may, if it think proper, on the application of the defendant, and upon such terms as to costs or otherwise as it may think fit, pass such order as for bringing in the legal representative

of such deceased plaintiff as aforesaid, and for proceeding with the suit in order to a final determination of the matter in dispute, as may appear just and proper. (S. C. C. & R. C.)

153. If any dispute arise as to who is the legal representative of a deceased plaintiff, the Court may either stay the suit until the fact has been determined in another suit, or decide at or before the hearing of the suit who shall be admitted to be such legal representative for the purpose of prosecuting the suit. (S. C. C. & R. C.)

154. If there be more defendants than one and any of them die, and the cause of action shall not survive against the surviving defendant or defendants alone, and also in case of the death of a sole defendant, or sole surviving defendant, where the action survives, the plaintiff may make an application to the Court, specifying the name, description, and place of abode of any person whom the plaintiff alleges to be the legal representative of the deceased defendant, and whom he desires to be made the defendant in his stead; and the Court shall thereupon enter the name of such representative in the Register of the suit in the place of such defendant, and shall issue a summons to such representative to appear on a day to be therein mentioned to defend the suit; and the case shall thereupon proceed in the same manner as if such representative had originally been made a defendant and had been a party to the former proceedings in the suit: Provided that the person so made defendant shall be at liberty to make any defence appropriate to his character as such representative. (S. C. C. & R. C.)

155. The marriage of a female plaintiff or defendant shall not cause the suit to abate, but the suit may notwithstanding be proceeded with to judgment, and the decree thereupon may be executed against the wife alone. If the case is one in which the husband is by law liable for the debts of his wife, the decree may, with the permission of the Court, be executed against the husband also; and in case of judgment for the wife, execution of the decree may with such permission be issued upon the application of the husband, where the husband is by law entitled to the subject-matter of the decree. (S. C. C. & R. C.)

156. The bankruptcy or insolvency of a plaintiff in any suit which his Assignee might maintain for the benefit of his creditors shall not abate the suit unless such Assignee shall decline to continue the suit and to give security for the costs thereof within such time as the Court may order. If the Assignee neglect or refuse to continue the suit and to give such security within the time limited by the order, the defendant may within eight days after such neglect or refusal apply for the abatement of the suit on the ground of the plaintiff's bankruptcy or insolvency, and the Court may

award to the defendant the costs which he may have incurred in defending the suit, to be recovered from the plaintiff's estate. (S. C. C. & R. C.)

OF NOTICES TO PRODUCE, AND HOW THEY ARE TO BE SERVED.

157. When a party to a suit desires that any document, writing, or other thing which he believes to be in the possession or power of any other party to the suit and the production of which shall not have been previously required under the provisions of Sections 71 and 79, shall be produced at any hearing of the suit, such party shall at the earliest opportunity deliver to the Court two notices in writing to the party in whose possession or power he believes the document, writing, or other thing to be, calling upon him to produce the same. One of such notices shall be filed in Court and the other shall be delivered by the Court to the proper Officer, to be served upon such party; and if the Court shall so order, such notice, when served, shall have the force of a summons. (S. C. C. & R. C.)

OF THE APPEARANCE OF THE PARTIES AND CONSEQUENCE OF NON-APPEARANCE.

158. On the day fixed in the summons for the defendant to appear and answer, the parties shall be in attendance at the Court-house, and the suit shall then be heard, unless the hearing be adjourned to a future day which shall be fixed by the Court. (S. C. C. & R. C.)

159. If on the day fixed for the defendant to appear and answer, it shall be found that the summons has not been served upon him in consequence of the failure of the plaintiff to deposit, within the time allowed, the sum required to defray the cost of issuing such summons, the Court may order that the suit be dismissed: Provided that no such order shall be passed, although the summons shall not have been served upon the defendant, if, on the day fixed for him to appear and answer, he shall have entered an appearance by an Advocate or by a duly authorized agent, when he is allowed to appear by agent, or shall be in attendance in person. (S. C. C. & R. C.)

160. If on the day fixed for the defendant to appear and answer, or on any other subsequent day to which the hearing of the suit may be adjourned, neither party shall appear when called upon by the Court, the suit shall be dismissed. (S. C. C. & R. C.)

161. Whenever a suit is dismissed under either of the last two preceding Sections, the plaintiff shall be at liberty to bring a fresh suit unless precluded by the law of limitations; or if he shall within the period of thirty days from the date of the order dismissing the suit, satisfy the Court that there was a sufficient excuse for his

not making the deposit required within the time allowed or for his non-appearance, as the case may be, the Court may issue a fresh summons upon the plaint already filed. (S. C. C. & R. C.)

162. If the plaintiff shall appear and the defendant shall not appear, and the Court shall be satisfied that the summons was duly served, the Court may proceed to hear the suit *ex parte* or adjourn it, whether the summons was for the final disposal of the suit or for the settlement of issues only. If the summons shall have been issued for the final disposal of the suit, the Court, if satisfied of the justice of the plaintiff's claim, may proceed to pass a decree *ex parte* in his favour. (S. C. C. & R. C.)

163. If the defendant, on any subsequent day to which the hearing of the suit *ex parte* shall have been adjourned, shall appear and assign good cause for his previous non-appearance, he may, upon such terms as the Court may direct as to costs or otherwise, be heard in answer to the suit, in like manner as if he had appeared on the day fixed for his appearance. (S. C. C. & R. C.)

164. If the plaintiff shall appear and the defendant shall not appear, and it shall not be proved to the satisfaction of the Court that the summons was duly served in any of the modes of service hereinbefore provided, the Court may direct a second summons to the defendant to be issued in any of the said modes. (S. C. C. & R. C.)

165. If the plaintiff shall appear and the defendant shall not appear, and it shall be proved to the satisfaction of the Court that the summons was served on the defendant, but not in sufficient time to enable him to appear and answer on the day fixed in the summons, the Court shall postpone the hearing of the suit to a future day to be fixed by the Court, and may direct notice of such day to be given to the defendant. (S. C. C. & R. C.)

166. If the defendant shall appear and the plaintiff shall not appear, the Court shall pass a decree against the plaintiff by default, unless the defendant admit the claim, in which case the Court shall pass a decree against the defendant upon such admission. (S. C. C. & R. C.)

167. When a decree is passed against a plaintiff by default, he shall be precluded from bringing a fresh suit in respect of the same cause of action. (S. C. C. & R. C.)

168. If there are more plaintiffs than one, and one or more of them shall appear in person or by an Advocate or by a co-plaintiff duly authorized, and the other or others of them shall not appear in person nor by an Advocate nor by a co-plaintiff duly authorized, the Court may proceed with the suit at the instance of the plaintiff or plaintiffs who shall have appeared, in the same way as if all the plaintiffs had appeared, and pass such order as may seem just. (S. C. C. & R. C.)

169. If there are more defendants than one, and one or more of them shall appear in person or by an Advocate or by a co-defendant duly authorized, and the others of them shall not appear in person or by an Advocate or by a co-defendant duly authorized, the Court shall proceed with the suit, and shall at the time of passing judgment make such order with respect to the defendant or defendants who shall not have appeared as shall seem just. (S. C. C. & R. C.)

170. If a plaintiff or defendant who shall have been ordered to appear in person under the provisions of Section 73 or Section 74 shall not appear in person, or show sufficient cause to the satisfaction of the Court for failing so to appear, such plaintiff or defendant shall be subject to all the provisions of the foregoing Sections applicable to plaintiffs and defendants, respectively, who do not appear. (S. C. C. & R. C.)

171. In support of the cause shown by a plaintiff or defendant failing to appear in person, the Court shall receive any declaration in writing on paper, which shall bear the stamp required for petitions to the Court where a stamp is required for petitions, signed by such plaintiff or defendant and verified in the manner hereinbefore provided for the verification of plaints. (S. C. C. & R. C.)

172. In any case in which a decree shall be passed *ex parte* against a defendant under Section 162, he may within a reasonable time, not exceeding thirty days after any process for enforcing the decree has been executed, apply to the Court by which the decree was made for an order to set it aside; and if it shall be proved to the satisfaction of the Court that the summons was not duly served, or that the defendant was prevented by any sufficient cause from appearing when the suit was called on for hearing, and, if in a suit involving a claim to money, the amount with costs be paid into Court, the Court shall pass an order to set aside the decree upon such terms as to costs or otherwise as it shall think fit, and shall appoint a day for proceeding with the suit. (S. C. C. & R. C.)

173. In any case in which a decree is passed against a plaintiff by default under Section 166, he may within thirty days from

the date of the decree apply for an order to set it aside; and if it shall be proved to the satisfaction of the Court that the plaintiff was prevented by any sufficient cause from appearing when the suit was called on for hearing, the Court shall pass an order to set aside the decree upon such terms as to costs or otherwise as it shall think fit, and shall appoint a day for proceeding with the suit. (S. C. C. & R. C.)

174. No decree shall be set aside on any application as aforesaid, without notice thereof to opposite party. shall have been served on the opposite party. (S. C. C. & R. C.)

175. In every case in which the Court shall pass an order under Section 172 or Section 173, for setting aside a decree, the order shall be final. (S. C. C. & R. C.)

OF PAYMENT INTO COURT.

176. The defendant in any suit involving a claim to money, may at any stage of the suit deposit in Court such sum of money as he considers a satisfaction in full of the claim including the costs incurred by the plaintiff, up to the time of such deposit. Notice of the deposit shall be given to the plaintiff, and the amount of the deposit shall be paid to him on his application. No interest shall be allowed to the plaintiff on any sum deposited by the defendant from the date of the receipt of such notice, whether the sum deposited be in full of the claim or fall short thereof. (S. C. C. & R. C.)

177. Nothing in the last preceding Section shall be held to bar the plaintiff in any suit, in which the defendant shall deposit less than the amount claimed by the plaintiff, from proceeding in the suit for the recovery of the balance. (S. C. C. & R. C.)

OF WRITTEN STATEMENTS.

178. The parties at the first hearing of the suit, may tender written statements of their respective cases, and the Court shall receive and record such statements.

179. Written statements shall be on the stamp paper prescribed for petitions to the Court, where a stamp is required for petitions.

180. If in a suit for a debt the defendant desire to set-off against the claim of the plaintiff the amount of any debt due to him from the plaintiff, and a suit for the recovery of the amount of such debt is not barred by the law of limitations, the defendant shall, at the first hearing of the suit, but not

afterwards unless permitted by the Court, tender a written statement containing the particulars of his demand, and the Court shall thereupon enquire into the same.

Explanation.—The debts mentioned in this Section include not only pecuniary debts, but claim for specific articles of the same nature. (S. C. C. & R. C.)

181. Except as provided in the last preceding Section, no written statement shall be received after the first hearing of the suit unless called for by the Court.

The Court may, at any time, call for a written statement, or an additional written statement, from any of the parties, and fix a time for the filing of the same. When such statements are called for by the Court, they may be received on plain paper.

182. Written statements shall be as brief as the nature of the case will admit, and shall not be argumentative, nor by way of answer one to the other; but shall be confined as much as possible to a simple narrative of the facts which the party by whom or on whose behalf the written statement is made believes to be material to the case, and which he believes he will be able to prove.

183. Written statements shall be subscribed and verified in the manner hereinafter provided for subscribing and verifying plaints, and no written statement shall be received unless it be so subscribed and verified.

184. If any party from whom a written statement shall have been called for under Section 181 shall fail to present the same within the time fixed by the Court, the Court may pass a decree against him, or make such other order in relation to the suit as it may deem proper.

185. If it shall appear to the Court that any written statement, whether it shall have been called for by the Court, or spontaneously tendered, is argumentative or prolix, or that it contains matter irrelevant to the suit, the Court may strike out any part of the statement, or, by an order to be endorsed thereon, reject the same, and return it to the party by whom it was made, imposing such terms as to costs and otherwise as to the Court shall seem fit. It shall not be competent to such party to present another written statement, unless it shall be expressly called for or allowed by the Court. (S. C. C. & R. C.)

OF THE EXAMINATION OF THE PARTIES AT THE FIRST HEARING.

186. At the first hearing of the suit, or at any subsequent hearing, any party who appears in person or is present in Court, or any person able to answer any material questions relating to the suit by whom he or his Advocate may be accompanied,

Substance of examination to be written.

may be examined orally by the Court. The substance of the examination shall be reduced to writing and shall form part of the record. (S. C. C. & R. C.)

187. If any party to a suit who appears in person or is present in Court shall without lawful excuse refuse to answer any material question relating to the suit which the Court may think proper to put to such party, the Court may pass a decree against him, or make such order in relation to the suit as it may deem proper. (S. C. C. and R. C.)

188. If the Advocate of any party who shall appear by an Advocate, shall refuse or be unable to answer any material question relating to the suit which the Court is of opinion that the party whom he represents ought to answer, and is likely to be able to answer if interrogated in person, the Court may postpone the hearing of the suit to a future day, and direct that such party shall appear in person on such day. If the party so directed to appear shall without lawful excuse fail to appear in person on the day so appointed, the Court may pass a decree against him, or make such order in relation to the suit as it may deem proper. (S. C. C. & R. C.)

OF THE PRODUCTION OF DOCUMENTS.

189. The documentary evidence of every description on which the parties to a suit may intend to rely, and which may not already have been filed in Court and all documents or other things, which shall have been specified in any notice to produce served on the parties or any of them within a reasonable time before the hearing of the suit, shall be produced at the first hearing of the suit on being called for by the Court. No documentary evidence of any kind, which the parties or any of them may desire to produce, shall be received at any subsequent stage of the proceedings unless good cause be shown to the satisfaction of the Court for the non-production thereof at the first hearing. (S. C. C. & R. C.)

190. The Court shall receive the documents produced by the parties. The Court may at any stage of the suit reject any document which it considers irrelevant or otherwise inadmissible, recording the grounds of such rejection. (S. C. C. & R. C.)

191. When a document is admitted in evidence at any stage of the suit, it shall be endorsed with the number and title of the suit, the name of the person producing it, and the date on which it was produced and shall be filed as part of the record: Provided that, if the document be an entry in a shop-book, or other book, the party on whose behalf such book is produced may furnish a copy of the entry, which may be on unstamped paper: the copy may be endorsed as aforesaid, and shall

be filed as part of the record, and the book shall be returned to the person producing it. (S. C. C. & R. C.)

192. When a document is rejected by the Court, it shall be endorsed in the manner specified in the last preceding Section with the addition of the word "rejected," and the endorsement shall be signed by the Judge. The document shall then be returned to the party who produced it, unless the Court shall think proper, on suspicion of the document having been fabricated, or for any other reason, to order that it be detained. (S. C. C. & R. C.)

193. If a document not bearing the stamp prescribed by law, be produced in evidence, the Court, if satisfied that the omission or neglect to execute such document on paper bearing the proper stamp did not arise from any intention to evade payment of the stamp duty prescribed for such document, or otherwise to defraud the Government, may receive in evidence such document, on payment into Court of the proper stamp duty and (as a penalty) treble the amount of such stamp duty; or if the document shall be insufficiently stamped, on payment into Court of such sum as with the amount of the stamp upon such document shall suffice to complete the prescribed amount, and (as a penalty) treble the sum required to complete the same. The proper amount to be paid into Court under this Section shall in each case be determined by the Court, whose decision on the point shall be final. (S. C. C. & R. C.)

194. An entry of every payment under the last preceding Section, setting forth the amount thereof, shall be made in a book to be kept by the Court, and shall also be endorsed on the back of the document in respect of which it is made, and shall be signed by the Court or by the Registrar or Clerk of the Court. (S. C. C. & R. C.)

195. The Judge shall at the end of every month make a return to the Collector of the Stamp Revenue of the District, of the money (if any) which the Court has received under the provisions of Section 193, distinguishing between the sums received by way of penalty and the sums received by way of duty. The return shall state the number and title of the suit, the name of the party from whom such money was received, and the date, if any, and description of the document. The Judge shall pay over the money so received to such Collector or to such person as the Collector may appoint to receive the same. (S. C. C. & R. C.)

196. The Collector or other proper authority shall, upon the production of a document in respect of which a payment of stamp duty shall have been made under Section 193,

with the endorsement hereinbefore mentioned, cause it to be stamped with a stamp of the amount paid into Court on account of such duty. (S. C. C. & R. C.)

197. In suits in which an appeal is allowed, after lapse of time when the time for preferring an appeal from the decree admitted in evidence has elapsed, or, if an appeal may be returned, has been preferred, then after the appeal has been disposed of, any person, whether a party to the suit or not, who may be desirous of receiving back any document produced by him in the suit, shall be entitled, on application to the Court in which such document may be, to receive back the same. (R. C.)

198. In suits in which an appeal is not allowed, the document may be returned, on application to the Court at any time after the suit has been disposed of. (S. C. C. & R. C.)

199. A document may be returned before the time mentioned in Section 197 or Section 198, if the Court in which the document may be shall think proper, for any special reason, to order its return. (S. C. C. & R. C.)

200. No document shall be returned the further use of which has been superseded by the terms of the decree, or which the Court has directed to be detained for purposes of public justice. (S. C. C. & R. C.)

201. When a document is returned, a certified copy, made at the expense of the applicant, and bearing the stamp prescribed by law for copies of documents, shall be substituted for the original in the record of the suit. (S. C. C. & R. C.)

202. On the return of a document which has been admitted in evidence, a receipt shall be given by the party receiving the document, in a receipt-book to be kept for the purpose. (S. C. C. & R. C.)

203. The Court may, of its own accord, or upon the application of any of the parties to a suit, if the Court shall consider such application reasonable and proper, send for, either from its own records or from any other Court or public Office, the record of any other suit or case, or any other official paper, not being a document relating to affairs of State the production of which may be contrary to good policy, and inspect the same. (S. C. C. & R. C.)

OF THE SETTLEMENT OF ISSUES.

204. At the first hearing of the suit, the Court shall enquire upon what question of law or of fact the parties are at issue, and shall thereupon

proceed to frame and record the issues of law and act on which the right decision of the case shall appear to the Court to depend.

205. The Court may frame the issues from the allegations of fact which it collects from the oral examination of the parties or of any persons present on their behalf or from the representations of their Advocates, notwithstanding any difference between such allegations of fact and the allegations of fact contained in the written statements, if any, tendered in the suit.

206. If the Court shall be of opinion that the issues cannot be correctly framed without the examination of some person not before the Court, or without the inspection of some document not produced in the suit, it may adjourn the framing of the issues to a future day, to be fixed by the Court, and may compel the attendance of any person or the production of any document by the person in whose hands it may be, by summons or other process.

207. The Court may at any time before passing a decree amend the issues or frame additional issues on such terms as it shall think fit, and all such amendments as may be necessary for the purpose of determining the real question or controversy between the parties shall be so made.

OF ISSUES BY AGREEMENT OF PARTIES.

208. When the parties to a suit are agreed as to the question of fact or of law to be decided between them, they may state the same in the form of an issue, and enter into an agreement in writing, which shall not be subject to stamp duty, that upon the finding of the Court in the affirmative or the negative of such issue, a sum of money specified in the agreement, or to be ascertained by the Court upon a question inserted in the issue for that purpose, shall be paid by one of the parties to the other of them, or that upon such finding some property specified in the agreement and in dispute in the suit shall be delivered by one of the parties to the other of them, or that upon such finding one or more of the parties shall do or abstain from doing some particular act, specified in the agreement, and relating to the matter in dispute.

209. If the Court shall be satisfied, after making such enquiry as it may deem proper, that the agreement was duly executed by the parties, and that they have a *bond fide* interest in the decision of such question as aforesaid, and that the same is fit to be tried and decided, it may proceed to record and try the issue, and deliver its finding or opinion thereon in the same manner as if the issue had been framed by the Court, and may upon the finding or decision on

such issue, give judgment for the sum so agreed on or so ascertained as aforesaid, or otherwise according to the terms of the agreement; and upon the judgment which shall be so given, decree shall follow and may be executed in the same way as if the judgment had been pronounced in a contested suit.

WHEN THE SUIT MAY BE DISPOSED OF AT THE FIRST HEARING.

210. If at the first hearing of a suit it shall appear that the parties are not at issue on any question of law or of fact, the Court may at once give judgment.

211. Where there are more defendants than one, and any one of the defendants is not at issue with the plaintiff on any question of law or fact, the Court may at once give judgment for or against such defendant, and the suit shall proceed only against the other defendants.

212. When the parties are at issue on some question of law or of fact, and issues have been framed by the Court as hereinbefore provided, if the Court shall be satisfied that no further argument or evidence than such as the parties can at once supply is required upon any such of the issues or law or of fact as may be sufficient for the decision of the suit, and that no injustice will result from proceeding with the suit forthwith, the Court may proceed to determine such issue or issues, and if the finding thereon is sufficient for the decision, may pronounce judgment accordingly, whether the summons shall have been issued for the settlement of issues only or for the final disposal of the suit; otherwise the Court shall postpone the further hearing of the suit, and shall fix a day for the production of such further evidence, or for such further argument as the case may require.

213. If the summons shall have been issued for the final disposal of the suit, and either party shall fail without sufficient cause to produce the evidence on which he relies, the Court may at once give judgment. (S. C. C. & R. C.)

214. After the issue of such summons, if the Court is unable to give judgment at the first hearing of the suit by reason of additional evidence being required, or for any other cause, the Court shall frame the issues of law and fact requiring to be determined as provided in Section 204.

OF ADJOURNMENTS.

215. The Court may, if sufficient cause be shown, at any stage of the suit, grant time to the parties, or to either of them, and may from time to time adjourn the hearing of

the suit. In all such cases the Court shall fix a day for the further hearing of the suit: Provided

that the party applying for Costs of adjourn- time shall pay the costs occasioned by such adjournment, unless the Court shall otherwise direct: Provided also that when the hearing of evidence shall have once begun, the hearing of the suit shall not be adjourned at the application of any of the parties except from day to day when all the witnesses cannot be examined on the same day. (S. C. C. & R. C.)

216. If, on any day to which the hearing of the suit is adjourned, the parties or either of them shall fail to appear, the Court may proceed to dispose of the suit in the manner specified in Section 160, Section 162, or Section 166, as the case may be, or make such other order as may seem proper. (S. C. C. & R. C.)

217. If either party to a suit to whom time may have been granted shall fail to produce his proofs, or to cause the attendance of his witnesses, or to perform any other act necessary to the further progress of the suit, for which time may have been allowed, the Court may proceed to a decision of the suit on the record, notwithstanding such default. (S. C. C. & R. C.)

OF SUMMONING PERSONS TO GIVE EVIDENCE OR PRODUCE DOCUMENTS.

218. The parties may, at any time after the issue of the summons to the defendant, if the summons be for the final disposal of the suit, or after the issues have been recorded, if the summons to the defendant be for the settlement of issues only, obtain, on application to the Court, summonses to persons to attend either to give evidence or to produce a document, and in any such summons the names of any number of persons may be inserted. (S. C. C. & R. C.)

219. The person applying for a summons shall pay into Court such a sum of money as shall appear to the Court to be reasonable to defray the travelling and other expenses of the person mentioned in the summons, in passing to and from the Court in which he may be required to attend, and for one day's attendance. (S. C. C. & R. C.)

220. If the Court be a subordinate Court, regard shall be had, in fixing the scale of expenses, to the rules (if any) laid down by the Court to which such Court shall be subordinate. (S. C. C. & R. C.)

221. The sum so paid into Court shall be tendered to the person named in the summons at the time of serving the summons if it can be served personally. (S. C. C. & R. C.)

222. If it shall appear to the Court that the sum paid into Court on account of the travelling and other expenses of the person named in the summons in passing to and from the Court is not sufficient to cover such expenses, and for one day's attendance, the Court may direct such further sum to be paid to such person as may appear to be necessary on that account; and, in case of default in payment, may order such sum to be levied by attachment and sale of the goods of the person ordered to pay the same; or the Court may discharge the person summoned without requiring him to give evidence. (S. C. C. & R. C.)

223. If it shall be necessary to detain the person summoned for a longer period than one day, the Court may from time to time order the party at whose instance he was summoned, to pay into Court such sum as may be sufficient to defray the expenses of his detention for such further period, and in default of such deposit being made, may order him to be discharged without requiring him to give evidence. (S. C. C. & R. C.)

224. Every summons for the attendance of a person to give evidence or produce a document shall specify the time and place at which he is required to attend, and also whether his attendance is required for the purpose of giving evidence or to produce a document, or for both purposes; and any particular document which the person summoned may be called on to produce, shall be described in the summons with convenient certainty. (S. C. C. & R. C.)

225. Any person, whether a party to the suit or not, may be summoned to produce a document, without being summoned to give evidence; and any person, summoned merely to produce a document, shall be deemed to have complied with the summons, if he cause such document to be produced instead of attending personally to produce the same. (S. C. C. & R. C.)

226. The summons shall be in the form contained in the Schedule D to this Code annexed or to the like effect. (S. C. C. & R. C.)

SERVICE OF SUMMONS ON PERSONS REQUIRED TO GIVE EVIDENCE OR PRODUCE DOCUMENTS.

227. Every summons to a person to give evidence or produce a document shall be served by exhibiting the original, and delivering or tendering a copy to him. (S. C. C. & R. C.)

228. The service shall in all cases be made a sufficient time before the time specified in the summons for the attendance of the person summoned to allow him a reasonable time for preparation, and for

travelling to the place at which his attendance is required. (S. C. C. & R. C.)

229. Whenever it may be practicable, the service of the summons shall be upon the person thereby required to attend; but when such person cannot be found, the service may be made on an adult male member of his family residing with him. (S. C. C. & R. C.)

230. When the person required to attend cannot be found and there is no adult male member of his family on whom the summons can be served, the serving Officer shall return the summons to the Court from which it issued with an endorsement thereon that he has been unable to serve it.

Explanation.—A servant is not a member of the family within the meaning of this or the last preceding Section. (S. C. C. & R. C.)

231. The serving Officer shall, in all cases in which the summons has been served, endorse on the original summons the time when and the manner in which it was served. (S. C. C. & R. C.)

232. If the person required to attend be resident within the jurisdiction of any Court other than that in which the suit is pending, the summons shall be transmitted by the Court in which the suit is pending to any Court other than a High Court having jurisdiction at the place where the witness resides, by which it can be most conveniently served; and the Court to which the summons is sent shall, upon receipt thereof, deliver the same to the proper Officer of such Court, to be served in the manner above directed. Upon the return of the summons by the serving Officer, it shall be sent to the Court from which it originally issued. (S. C. C. & R. C.)

233. If the summons for the attendance of a person either to give evidence or to produce a document, cannot be served in either of the ways hereinbefore specified, the Court, on being certified thereof by the return of the serving Officer, and upon being satisfied that the evidence of such person or the production of the document is material, and that he is absconding or keeping out of the way for the purpose of avoiding the service of the summons, may cause a proclamation requiring his attendance to give evidence, or produce the document, at a time and place to be named therein, to be affixed on some conspicuous place of the house in which he is dwelling; and if he shall not attend at the time and place named in such proclamation, the Court may, at the instance of the party on whose application the summons was issued, make an order for the attachment of the movable property of the person whose attendance is required to such amount as the Court shall deem reasonable, not being in excess of the amount

of the costs of attachment and of any fine to which he may be liable under the provisions of Section 235. (S. C. C. & R. C.)

234. If, on the attachment of his property, such person shall appear and satisfy the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court shall direct that the property be released from attachment, and shall make such order in regard to the costs of the attachment as it shall deem fit. (S. C. C. & R. C.)

235. If the person whose attendance is required shall not appear, or appearing, shall fail to satisfy the Court that he did not abscond or keep out of the way to avoid service of the summons, and that he had not notice of the proclamation in time to attend at the time and place named therein, the Court may order the property attached, or any part thereof, to be sold for the purpose of satisfying all costs incurred in consequence of such attachment, together with the amount of any fine which the Court may impose upon such person under the provisions of the Indian Penal Code or any other law for the punishment of a witness who may abscond or keep out of the way in order to avoid the service of a summons. If the person whose attendance is required shall pay into Court the costs and fine as aforesaid, the Court shall order the property to be released from attachment. (S. C. C. & R. C.)

OF THE EXAMINATION OF PARTIES AS WITNESSES.

236. When a party to suit appears in person at any hearing of the suit, he may be examined as a witness, either on his own behalf or on behalf of any other party to the suit, in the same manner as if he were not a party. (S. C. C. & R. C.)

237. If a party to a suit shall require to enforce the appearance of any other party thereto as a witness, he shall make a special application to the Court for an order requiring the appearance of such party, and shall show, to the satisfaction of the Court, sufficient ground in support of such application otherwise a summons shall not be issued. (S. C. C. & R. C.)

238. The Court, before making such order, may cause notice to be given to the party whose appearance is required, fixing a day for him to show cause why he should not appear and give evidence; and may also from time to time, for sufficient reason enlarge the time for such purpose. (S. C. C. & R. C.)

239. In support of the cause shown, the Court shall receive any declaration in writing of the party on unstamped paper, if signed by him and verified in the

manner hereinbefore provided for the verification of complaints. (S. C. C. & R. C.)

240. If no sufficient cause be shown on the day fixed, or upon any subsequent day to which the Court shall enlarge the time for that purpose, the Court shall issue its order requiring the party to appear and give evidence. (S. C. C. & R. C.)

241. If the Court shall think it necessary to examine any party to the suit or to inspect any document in his possession or power, the Court may, of its own accord at any stage of the suit, cause him to be summoned to appear as a witness to give evidence or to produce such document if in his possession or power on a day to be appointed in the summons, and may examine him as a witness, or may cause him to be examined in such other manner as the Court may direct. (S. C. C. & R. C.)

OF THE EXAMINATION BY THE COURT OF STRANGERS TO THE SUIT.

242. If the Court shall at any time think it necessary to examine any person other than a party to the suit, and not named as a witness by a party to the suit, the Court may, of its own accord, cause such person to be summoned as a witness to give evidence, or to produce any document in his possession on a day to be appointed, and may examine such person as a witness. (S. C. C. & R. C.)

OF QUESTIONS RESPECTING RELIGION OR CUSTOM.

243. In any suit pending in any Court subordinate to the District Court, in which any question relating to the law of the religion or the established customs of the parties or any of them shall arise, the Court may either take the evidence of any person learned in such law or customs, or may refer to any recognized authority thereupon, or may receive from any of the parties, a written opinion of any other person quoting or referring to any such authority; or the Court may, of its own accord, or on the application of any of the parties, refer the question, with a statement of such of the circumstances of the case as may appear necessary for the elucidation of the same, for the opinion of the District Court.

244. The District Court may either decide the question so referred to it on evidence, or on any recognized authority or opinion as aforesaid taken, referred to, or received by it; or may of its own motion, or on the application of any of the parties, refer the question, with the statement of the case received from the Court below, for the opinion of the High Court.

245. The District Court may proceed in the manner aforesaid in respect to any question of law relating to the religion or customs of the parties or any of them, arising in any suit pending in such Court.

246. Whenever any such question as aforesaid may be referred for the opinion of the High Court, or whenever any such question as aforesaid may arise in any suit pending before the High Court, such Court may take the evidence of any person learned in the particular law or custom to which the question relates, or refer to any recognized authority thereupon, or receive from the parties or any of them a written opinion of any other person quoting or referring to any such authority.

247. Whenever any question may be referred as aforesaid for the opinion of the District Court, or of the High Court, the Court making such reference shall postpone its decision in the suit in which such question shall have arisen, until the receipt of the opinion of the District Court or of the High Court as the case may be, upon the question so referred.

248. The Court to which the question is referred shall fix an early day for determining the same, which day shall be notified by a proclamation to be fixed up in the Court House. The parties to the suit in which such reference is made may appear and be heard on the question referred.

249. The Court shall transmit a copy of its decision, under the signature of the Judge or Registrar or Clerk of the Court and under the seal of the Court to the Court by which the reference was made, and such Court shall proceed to dispose of the question so referred conformably to such decision.

250. If the suit is pending in a Court subordinate to the District Court, and the District Court shall have made a reference to the High Court, the decision of the High Court shall be communicated to the Court in which the suit is pending, through the District Court by which the reference was made.

251. Costs, if any, consequent on a reference under the foregoing provisions, shall be costs in the suit.

252. When any case in which the District Court shall have given an opinion on a question referred to it under Section 243 shall come in appeal before such Court, and the same point shall arise upon the

Judge with his own hand in his vernacular language. When any such Judge is prevented by any sufficient reason from taking down the evidence of any witness, he shall record the reason of his inability to do so, and shall cause the evidence to be taken down in writing from his dictation in open Court. Any such order may be cancelled. (R. C.)

264. If the evidence be taken down in a language different from that in which it shall have been given, and the witness does not understand the language in which it is taken down, the evidence as taken down in writing shall be interpreted to him in the language in which it was given. (R. C.)

When witness may require his deposition to be interpreted.

265. If in a Court in which English is not the language in ordinary use the parties to the suit who are present, and the Advocates of such as are absent, consent to have such evidence as is given in English taken down in that language, the Judge may take down the evidence in English with his own hand. (R. C.)

When evidence may be taken in English.

266. It shall be in the discretion of the Court to take down or cause to be taken down, any particular question and answer if there shall appear any special reason for so doing, or if any party to the suit or his Advocate shall require it. (R. C.)

Any particular question and answer may be taken down.

267. If any question put to a witness be objected to, the question, whether the Court allow or forbid it to be put, shall be taken down. The answer shall also be taken down if the Court allow the question to be put; and the objection and the name of the party making it shall be noticed in taking down the evidence, together with the decision of the Court upon the objection. (R. C.)

Questions objected to.

268. The Court may record such remarks as it may think material respecting the demeanour of any witness while under examination. (R. C.)

Court may record remarks on demeanour of witnesses.

269. In cases in which the evidence is not taken down in writing by the Judge, he shall be bound, as the examination of each witness proceeds, to make a memorandum of the substance of what each witness deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record. (R. C.)

Memorandum when evidence is not taken down by Judge.

270. In cases in which a regular appeal is not allowed, it shall not be necessary to take down the evidence of the witnesses in writing at length; but the Judge, as the examination of each witness proceeds, shall make a memorandum of the substance of what each witness deposes, and such memorandum shall be written and signed by the Judge with his own hand, and shall form part of the record. (S. C. C. & R. C.)

Memorandum of evidence in unappealable cases.

271. If the Judge shall be prevented from making a memorandum such memorandum to be made as above required, he shall record the reason of his inability to do so, and in cases in which a regular appeal is not allowed, he shall cause such memorandum to be made in writing from his dictation in open Court and shall sign the same, and such memorandum shall form part of the record. (S. C. C. & R. C.)

Judge unable to make such memorandum to record reason of his inability.

OF COMMISSIONS TO EXAMINE ABSENT WITNESSES, TO MAKE LOCAL ENQUIRIES, AND TO INVESTIGATE ACCOUNTS.

272. No person shall be bound to appear in person to give evidence in a Court if he reside at a place distant more than fifty miles from the place at which the Court is held, unless the Court shall specially order that he shall appear, nor in any case if he reside at a place distant more than one hundred miles from the place at which the Court is held: Provided that if Railway communication exist between the place at which he resides and the place where the Court is held, or within a convenient distance from such places, the Court shall have a discretion as to making such order. (S. C. C. & R. C.)

Witness not bound to appear if residing beyond a certain distance from Court.

273. The Court, on making an order for the attendance of a witness residing at a distance exceeding fifty miles by the ordinary means of communication from the place where the Court is held, shall record the reasons for making such order. (S. C. C. & R. C.)

Reasons to be recorded, of order for attendance of witness at a distance exceeding 50 miles.

274. The Court may order a Commission to issue for the examination on interrogatories or otherwise of any person who, under Section 272, is not bound to attend the Court, or who is required to give evidence only on a question relating to the law of the religion or established customs of the parties or any of them under Section 243, or Section 244, or Section 246, or who is from sickness or infirmity unable to attend, or who is a person exempted by any law for the time being in force, by reason of rank or sex, from appearing in Court. (S. C. C. & R. C.)

Cases in which Court may issue Commission to examine witness.

275. Such order as aforesaid may be made by the Court either of its own motion or on the application of any party to the suit or of the witness. The Court may, by the same or any subsequent order, give such directions as to taking the examination of an absent witness as shall seem proper. (S. C. C. & R. C.)

Order for Commission may be made either on application of parties or by Court of its own accord.

276. If a Commission be issued for the examination of a person who is resident within the jurisdiction of the Court issuing the Commission, the Commission may be issued to any Officer of the Court or to any Court subordinate to such Court, or to

When witness resides within Court's jurisdiction.

any other person whom the Court issuing the Commission may think proper to appoint to execute the same (S. C. C. & R. C.)

277. If the person be resident at some place in British India beyond the jurisdiction of the Court issuing the Commission, the Commission shall ordinarily be issued to any Court, not being a High Court, within whose jurisdiction he may reside, and which can most conveniently execute the same: Provided that, under special circumstances, the Commission may be issued to any person whom the Court issuing it may think proper to appoint. (S. C. C. & R. C.)

278. If the person be resident beyond the jurisdiction of the Court issuing the Commission and within the local limits of the ordinary original Civil jurisdiction of any High Court, the Commission shall be issued to the Court of Small Causes within whose jurisdiction the witness resides, or to any Court other than a High Court which may now exist or may hereafter be established with jurisdiction within the same local limits: Provided that, under special circumstances, the Commission may be directed to any person whom the Court issuing the Commission may think proper to appoint. (S. C. C. & R. C.)

279. In the case of a person resident at some place not within British India, but within the territories of a Native Prince or State in alliance with the British Government, the Court, if satisfied that the evidence of such person is necessary, may, of its own motion or on the application of any of the parties to the suit, issue a Commission for his examination: Provided that, if the suit be pending in any Court subordinate to the District Court, such subordinate Court shall not issue the Commission, but the District Court may issue the Commission on the application of the subordinate Court. (S. C. C. & R. C.)

280. In the case of a person resident at some place either within British India nor within the territories of a Native Prince or State in alliance with the British Government, the High Court, if the suit in which the evidence of the witness is required be pending in that Court, and the Court be satisfied that such evidence is necessary, may, of its own motion or on the application of any of the parties to the suit, issue a Commission for his examination. If the suit be pending in a Court subordinate to the High Court, the High Court may issue the Commission on the application of the Court in which the suit is pending. In all such cases the Commission may be issued to any person whom the High Court may think proper to appoint.

281. If a person, whether he be a party to the suit or not, whose evidence is required, is in jail, the Court may issue a Commission to examine witness in jail.

mission to any Officer of the Court or other person to take the evidence of such person either upon written interrogatories or otherwise, and the Commissioner shall proceed to the jail in which such person is confined, and take his evidence in accordance with the instructions given by the Court in any part of the jail which the Officer in charge of the jail shall appoint. (S. C. C. & R. C.)

282. The examination of the person in jail whose evidence is required shall be taken in the presence of the parties to the suit or their Advocates or Agents or any of them, and such parties, Advocates or Agents, shall be allowed to cross-examine such person. The Officer in charge of the jail or some person appointed by him shall be present during the examination. (S. C. C. & R. C.)

283. If the jail in which the person whose evidence is required is confined, is not within the local limits of the jurisdiction of the Court in which the suit is brought, the Court may issue a Commission to any Court, other than a High Court, having jurisdiction at the place where such jail is situated, and the Court to which the Commission is issued shall proceed as provided in Section 281, the provisions of which as well as of Section 282 shall apply in such case. (S. C. C. & R. C.)

284. After the Commission has been duly executed, it shall be returned, together with the evidence taken under it, to the Court out of which it issued, unless the order for issuing the Commission shall have otherwise directed, in which case the Commission shall be returned in terms of such order, and the Commission and the return thereto, and the evidence taken under it, shall form part of the record of the suit. (S. C. C. & R. C.)

285. Evidence taken under a Commission shall not be read as evidence in the suit without the consent of the party against whom the same may be offered, unless it be proved that the person who gave the evidence is beyond the jurisdiction of the Court, or dead or unable from sickness or infirmity to attend to be personally examined, or exempted by reason of rank or sex or by the provisions of Section 272 from personal appearance in Court, or unless the evidence is on a question relating to the law of the religion or established customs of the parties or any of them. (S. C. C. & R. C.)

286. The Court may at its discretion dispense with the proof of any of the circumstances mentioned in the last preceding Section, or may authorize the evidence of any person being read as evidence in the suit, notwithstanding proof that the cause for taking such evidence by Commission has ceased at the time of reading the same. (S. C. C. & R. C.)

287. In any suit in which the Court may deem a local investigation to be requisite or proper for the purpose of elucidating any matter in dispute, or of ascertaining the amount of any mesue profits or damages, the Court may issue a Commission to an Officer of the Court appointed to execute such Commissions, or if there be no such Officer, to any suitable person, directing him to make such investigation and to report thereon to the Court. (S. C. C. & R. C.)

288. If in any case it shall appear desirable to employ an Officer of Government other than the Commissioner, the Court may, with the consent of the immediate superior of the Officer whom the Court shall wish to employ, appoint him to make such investigation and report. (S. C. C. & R. C.)

289. The Commissioner, unless otherwise directed by the order of appointment, shall have power to examine the parties themselves and any witness whom they or any of them may produce, and any other person whom the Commissioner may think proper to call upon to give evidence in the matter referred to him. The Commissioner may also call for and examine documents and other papers relevant to the subject of enquiry. The Commissioner, after such local inspection as he may deem necessary, and after reducing to writing, in the manner hereinbefore prescribed for taking the evidence of witnesses in the presence of the Judge, the evidence taken by him, shall return such evidence, together with his report in writing, subscribed with his name, to the Court. (S. C. C. & R. C.)

290. The report of the Commissioner and the evidence taken by him shall be evidence in the suit and shall form part of the record; but it shall be competent to the Court, or to the parties to the suit or any of them, with the permission of the Court, to examine the Commissioner personally in open Court touching any of the matters referred to him or mentioned in his report, or as to the manner in which he may have conducted the investigation. (S. C. C. & R. C.)

291. In any suit in which an investigation or adjustment of accounts may be necessary, the Court may appoint such Officer or other person as aforesaid to be a Commissioner for the purpose of making such investigation or adjustment. (S. C. C. & R. C.)

292. The Court shall furnish the Commissioner with such part of the proceedings and such detailed instructions as may appear necessary, and the instructions shall distinctly specify whether the Commissioner is merely to transmit the proceedings which he may hold on the enquiry or also to report his own opinion on the point referred for his investigation. (S. C. C. & R. C.)

293. The proceedings of the Commissioner shall be received in evidence in the suit, unless the Court may have reason to be dissatisfied with them, in which case the Court shall direct such further enquiry as may be requisite, and shall make such decree or order as may appear to be proper. (S. C. C. & R. C.)

294. Whenever a Commission is issued under any of the foregoing provisions, the Court, before issuing the Commission, may order such sum as may be thought reasonable for the expenses of the Commission to be paid into Court by the party at whose instance or for whose benefit the Commission is issued. (S. C. C. & R. C.)

295. The provisions of this Code relating to the summoning, attendance, and examination of witnesses and to the remuneration of, and penalties to be imposed upon, witnesses, shall apply to persons required to give evidence or to produce documents under the foregoing provisions relating to Commissions to examine persons whether parties to the suit or not, or make local enquiries, or to investigate or adjust accounts. Any penalty to which a witness may be liable under this Section, shall be imposed by the Court from which the Commission issued, on the application of the Commissioner. The Commissioner shall have the same powers, so far as he can exercise the same, as regards the summoning, examination, and remuneration of witnesses as the Court issuing the Commission. (S. C. C. & R. C.)

296. Whenever a Commission shall be issued under the provisions of this Chapter, the Court shall direct that the parties to the suit shall appear before the Commission in person or by their Agents or Advocates. If the parties do not so appear the Commissioner may proceed *ex parte*. (S. C. C. & R. C.)

OF ASSESSORS.

297. In any Court to which the provisions of this Section and of the next succeeding Section shall be extended by an order of the Local Government to be notified in the Official Gazette, the Court may order the hearing of any suit to be conducted in the presence and with the aid of two or more Assessors as members of the Court. The Court shall have power to appoint such Assessors. (S. C. C.)

298. The opinion of each Assessor, if given orally, shall be recorded in writing by the Court; but such opinion shall be in no way binding upon the Judge, with whom exclusively the decision of the suit shall rest. (S. C. C.)

is able to perform it, and that the performance would not impose extreme and immoderate hardship upon him, the Court may declare that the contract shall be specifically performed, and decree the same accordingly. (S. C. C.)

315. The Court may also declare that, in the event of the contract not being specifically performed, the defendant shall pay to the plaintiff as damages a sum of money to be assessed by the Court in substitution for such performance. Such damages shall be recoverable at the option and on the application of the plaintiff. (S. C. C.)

316. If it shall appear that the defendant is unable to perform the contract, or that, though he may be able to perform it, the consideration is greatly inadequate, or that the contract is not reasonably certain, or that the result of performing it would impose extreme and immoderate hardship upon him, the Court may declare that the defendant shall pay to the plaintiff damages to be assessed in such manner as the Court shall direct: Provided that the Court may decree as liquidated damages any sum that the parties may have agreed should be paid in the event of a breach of the contract, without reference to the extent of the injury sustained.

*Explanations (a).—*The adequacy of the consideration is to be judged with reference to the time at which the contract was made.

*(b).—*The certainty required must be a reasonable one, having regard to the subject-matter of the contract, and the circumstances in and with reference to which it was entered into. (S. C. C.)

317. When the suit is for damages for breach of contract, if it appear that the defendant is able to perform the contract, the Court, with the consent of the plaintiff, may decree the specific performance of the contract within a time to be fixed by the Court, and in such case shall award an amount of damages to be paid as an alternative if the contract is not performed. (S. C. C.)

318. When the suit is for a sum of money due to the plaintiff, the Court may, in the decree, order interest at such rate as the Court may think proper to be paid on the principal sum adjudged from the date of suit to the date of the decree, in addition to any interest adjudged on such principal sum for any period prior to the date of suit, with further interest on the aggregate sum so adjudged and on the costs of the suit from the date of the decree to the date of payment. (S. C. C. & R. C.)

319. In all decrees for the payment of money, the Court may for any sufficient reason order that the amount shall be paid by instalments with or without interest. (S. C. C. & R. C.)

320. When the suit is for land or other property paying rent, the Court may provide in the decree for the payment of mesne profits or rent in respect of such property from the date of the suit until the date of delivery of possession to the party in whose favour the decree is made, with interest thereupon at such rate as the Court may think proper.

321. When the suit is for land and for mesne profits which have accrued on the land during a period prior to the date of suit, and the amount of such profits is disputed, the Court may either determine the amount prior to passing a decree for the land, or may pass a decree for the land and reserve the enquiry into the amount of mesne profits for the execution of the decree according as may appear most convenient.

322. If the defendant shall have set-off the amount of a debt against the claim of the plaintiff, the decree shall state what amount is due to the plaintiff and what amount (if any) is due to the defendant, and shall be for the recovery of any sum which shall appear to be due to either party. The decree of the Court with respect to any sum awarded to the defendant shall have the same effect and be subject to the same rules in respect of appeal or otherwise as if such sum had been claimed by the defendant in a separate suit against the plaintiff. (S. C. C.)

323. When a decree is passed for a sum of money only and the amount decreed shall not exceed the sum of one thousand rupees, the Court may, at the same time that it passes the decree, on the verbal application of the party in whose favour the decree is made, order immediate execution thereof by the issue of a warrant directed either against the person of the defendant if he is within the local limits of the jurisdiction of the Court, or against the personal property of the defendant within the same limits. (S. C. C. & R. C.)

324. If the warrant be directed against the movable property of the defendant, it may be general against any of his movable property wherever it may be found within the local limits of the jurisdiction of the Court, or special against any of his movable property within the same limits which shall be indicated by the party in whose favour the decree is made. (S. C. C. & R. C.)

325. Certified copies of the decree and judgment or of either the decree or judgment shall be furnished to the parties on application to the Court, and on the production of the necessary stamp paper for making such copies where a stamp is required by law. The application may be made either orally or by writing on unstamped paper. Copies of the decree and

judgment may be taken on the same sheet of stamp paper if it be capable of containing them. (S. C. C. & R. C.)

CHAPTER V.

OF THE EXECUTION OF DECREES.

326. If the decree be for any immovable property, possession thereof shall be delivered over to the party to whom it shall have been adjudged. (R. C.)

327. If the decree be for any specific movable, it shall be enforced by the seizure, if practicable, of the specific movable and by the delivery thereof to the party to whom it shall have been adjudged.

328. A decree for the specific performance of a contract may be enforced by the imprisonment of the party against whom the decree is made, or by the attachment of his property, or by both the imprisonment of the party and the attachment of his property. The imprisonment and attachment may be continued until the party against whom the decree is made shall comply with the terms of it, or for such time as the Court shall order: Provided that no person shall be imprisoned under this Section for a longer period than six months. (S. C. C.)

329. Payment of a sum of money ordered to be paid under Section 313, Section 315 or Section 316 shall be enforced in the manner hereinafter provided for the execution of a decree for money. (S. C. C. & R. C.)

330. If the decree be for money, it shall be enforced by the imprisonment of the party against whom the decree is made, or by the attachment and sale of his property, or by both. (S. C. C. & R. C.)

331. If in any suit a decree for money is passed against a plaintiff, the decree may be enforced against him in the same manner as a decree may be enforced against a defendant. (S. C. C.)

332. If the decree be for the execution of a conveyance, or for the endorsement of a negotiable instrument, and the party ordered to execute such conveyance or endorse such instrument shall neglect or refuse to comply with the order, the party in whose favour the decree is made may prepare the draft of a conveyance or endorsement in accordance with the terms of the decree, and deliver a copy of the draft to the party so ordered to execute or endorse and tender another copy of the same to the Court for execution upon the proper stamp paper if a stamp is required by law. The Court shall thereupon execute such draft

conveyance or endorsement and if it think fit, may, alter the same in accordance with the terms of the decree and execute the conveyance or endorsement so altered: Provided that if either party object to the draft so tendered as aforesaid, his objections shall within eight days of such delivery be stated in writing and argued before the Court, and the Court shall thereupon pass such order as it may think fit and execute or alter and execute the draft in accordance therewith. (S. C. C. & R. C.)

333. The execution of a conveyance or the Form and effect endorsement of a negotiable instrument by the Court under execution of conveyance by Court. the last preceding Section shall be in the following form—"C. D. Judge of the Court of (or as the case may be) for A. B., in a suit by E. F. against A. B.—" and shall have the same effect as the execution of the conveyance or endorsement of the instrument by the party ordered to execute or endorse the same. (S. C. C. & R. C.)

334. If the decree be against Government or against an Officer acting on behalf of Government, and the Officer against whom execution is applied for neglect or refuse to satisfy the decree, the Court, if it be a subordinate Court, shall report the case through the High Court for the orders of the Local Government. If any such decree be passed by the High Court on its original side, the High Court shall in case of such neglect or refusal report the case for the orders of the Local Government. Execution shall not issue on the decree unless the decree shall remain unsatisfied for the period of three months calculated from the date of such report. (S. C. C.)

335. If the decree be against a party as the representative of a deceased person, and the decree be for money to be paid out of the property of the deceased person, it may be executed by the attachment and sale of any such property, or if no such property can be found and the defendant fail to satisfy the Court that he has duly applied for such property of the deceased as shall be proved to have come into his possession, the decree may be executed against the defendant to the extent of the property not duly applied by him, in the same manner as if the decree had been against him personally. (S. C. C. & R. C.)

336. Whenever a person has become liable as surety for the performance of a decree or of any part thereof, the decree may be executed against such person to the extent to which he has rendered himself liable, in the same manner as a decree may be executed against a defendant. (S. C. C. & R. C.)

337. The following property is liable to attachment and sale in execution of a decree, namely, lands, tenements, and other buildings, goods, chattels, and money, bank notes, and other securities, and any other property of any kind.

securities, bonds or other securities for money, debts, shares in the capital or joint-stock of any Railway, Banking or other Public Company or Corporation, and all other property whatsoever, movable or immovable, belonging to the defendant, and whether the same be held in the name of the defendant or by another person in trust for him, or on his behalf: Provided that nothing contained in this Section shall be held to give any Court of Small Causes power to attach and sell in execution of a decree passed by such Court any property which Courts of Small Causes are prohibited by law from attaching and selling in execution of their decrees. (S. C. C. & R. C.)

338. All monies payable under a decree shall be paid into the Court whose duty it is to execute the decree, unless such Court or the Court which passed the decree shall otherwise direct. (S. C. C. & R. C.)

Payment of monies under decree to be made into Court.

339. Except as provided in the last preceding Section, no adjustment of a decree in part or in whole shall be recognized by the Court unless such adjustment be made through the Court, or be certified to the Court by the person in whose favour the decree was passed or to whom it may have been transferred. (S. C. C. & R. C.)

Adjustment of decree to be made through Court.

APPLICATION FOR EXECUTION.

340. When a party in whose favour a decree has been passed is desirous of enforcing it, he shall apply to the Court which passed the decree, or to the Court whose duty it is under this Code or any other law to execute the decree, to execute the same. (S. C. C. & R. C.)

Application for execution.

341. If a decree shall have been passed in favour of more persons than one, any one of such persons may apply for the execution of the decree, and if the Court shall see sufficient cause for allowing the decree to be executed on an application so made, it shall pass such order as it may deem necessary for protecting the interests of the persons who shall not have joined in the application. (S. C. C. & R. C.)

Any one of several decree-holders may apply.

342. If a decree be transferred by assignment or by operation of law from the party in whose favour it was passed to any other person, application for execution may be made by the person to whom the decree shall have been so transferred, and if the Court shall think proper to grant the application, the decree may be executed in the same manner and subject to the same conditions, as if the application were made by the party in whose favour the decree was passed. (S. C. C. & R. C.)

Application by transferee of decree.

343. If cross-decrees between two parties for the payment of money be produced to the Court, and whether or not either of such parties be the original debtor or assignee of the decree, execution

shall be taken out only by the party who shall hold a decree for the larger sum, and for so much only as shall remain after deducting the smaller sum, and satisfaction for the smaller sum shall be entered on the decree for the larger sum as well as satisfaction on the decree for the smaller sum. If the two sums be equal, satisfaction shall be entered upon both decrees. (S. C. C. & R. C.)

344. If a suit or appeal be pending in any Court against the holder of a decree of such Court, on the part of the person against whom the decree was passed, the Court may stay execution, on the decree either absolutely or on such terms as it may think just, until the pending suit or appeal has been decided. (S. C. C. & R. C.)

Stay of execution pending suit between decree-holder and judgment-debtor.

345. If any person against whom a decree has been passed shall die before it has been fully executed, application may be made for its execution against the representative or the estate of the deceased. (S. C. C. & R. C.)

If person against whom decree made die before execution, application may be made against his representative or estate.

346. Notice of an application under the last preceding Section shall be given to the person named therein as the representative of the deceased or as the person in charge of his estate, and if the Court after hearing such representative or other person against the application, shall think proper to grant the same, the execution may be proceeded with against such representative or estate. (S. C. C. & R. C.)

Notice of application to be given to representative.

347. If a decree be ordered to be executed against the representative of the party against whom the decree was made, it shall be executed in the manner provided in Section 335 for the execution of a decree for money to be paid out of the property of a deceased person. (S. C. C. & R. C.)

Execution of decree against representative.

348. The application for the execution of a decree shall be in writing, and shall contain in a tabular form the following particulars, namely, the number of the suit; the names of the parties; the date of the decree; whether any appeal has been preferred from the decree, and whether any and what adjustment of the matter in dispute has been made between the parties subsequently to the decree; the amount of the debt or damage with the interest, if any, due upon the decree, or other relief granted by the decree; the amount of costs, if any were awarded; the name of the person against whom the enforcement of the decree is sought, and the mode in which the assistance of the Court is required, whether by the delivery of property specifically decreed, by the arrest and imprisonment of the person named in the application, or by the attachment of his property or otherwise. (S. C. C. & R. C.)

Form of application for execution of decree.

349. If the application be for the attachment of any immovable property belonging to the defendant, the application shall contain at the foot such a description of the property as may be sufficient to identify it, and also a specification of the share of interest of the defendant therein to the best of the belief of the applicant and so far as he has been able to ascertain the same.

350. If the property be land which, whether it pays revenue to Government or not, is registered in the Collector's Office, the application for attachment shall be accompanied by an authenticated extract from the register of such Office, specifying the persons registered as proprietors of, or as possessing any transferable interest in, the land or its revenue, and (where registered) the shares of the registered proprietors.

351. An application for an attachment of the movable property of the defendant or any part thereof, may be accompanied with an inventory or list of the property to be attached, containing a reasonably accurate description of the same; or the decree-holder may apply for a general attachment of the movable property of the defendant wheresoever the same can be found, to the amount of the decree and costs. (S. C. C. & R. C.)

352. The Court, on receiving an application for the execution of a decree containing the particulars mentioned in Section 348, or such of them as may be applicable to the case, shall enter in the register of the suit a note of the application and the date on which it was made. (S. C. C. & R. C.)

353. If the particulars do not correspond with the decree, the Court shall either return the application for correction to the person making it, or shall, with his consent, cause the necessary correction to be made. (S. C. C. & R. C.)

354. If the application be admitted, the Court shall order execution of the decree according to the nature of the application. (S. C. C. & R. C.)

MEASURES REQUIRED IN CERTAIN CASES PRELIMINARY TO THE ISSUE OF THE WARRANT.

355. If more than one year shall have elapsed between the date of the decree and the application for its execution, or if the enforcement of the decree be applied for against the representative of a party to the suit in which the decree was made, the Court shall issue a notice to the party against whom execution is applied for, requiring him to

show cause, within a period to be fixed by the Court, why the decree should not be executed against him: Provided that no

Proviso. such notice shall be necessary in consequence of more than one year having elapsed between the date of the decree and the application for execution, if the application be made within one year from the date of the last order passed on any previous application for execution: Provided also that no such notice shall be necessary in consequence of the application being against the representative of the party against whom the decree was made, if upon a previous application for execution against the same person, the Court shall have ordered execution to issue against him. (S. C. C. & R. C.)

356. If the person whom notice is issued Procedure after under the last preceding Section shall not appear, or shall not show cause to the satisfaction of the Court why the decree should not be executed, the Court shall order the decree to be executed. If such person shall offer any objection to the enforcement of the decree, the Court shall pass such order as may appear to be proper. (S. C. C. & R. C.)

357. If the application is for a general attachment of the movable property of the party liable under the decree, the Court may, before issuing an order for such attachment, require the applicant to give security to the satisfaction of the Court, in such sum as may be considered adequate, for any injury that may be occasioned by the attachment of property belonging to any person other than the party liable as aforesaid. (S. C. C. & R. C.)

358. Before granting the order for a general attachment, or at the instance of the holder of the decree at any time before its complete execution, the Court may summon the person against whom the application is made and examine him as to the property liable to be seized in satisfaction of the decree. (S. C. C. & R. C.)

359. The Court may, of its own motion or at the instance of any person interested in the enquiry, summon any other person whom it may think necessary and examine him in respect to any property liable to be seized in satisfaction of the decree, and may require the person summoned to produce any document in his possession or power relating to such property. (S. C. C. & R. C.)

ISSUE OF THE WARRANT.

360. When the preliminary measures (if any) required by the foregoing provisions have been taken, the Court, unless it see cause to the contrary, shall issue its warrant for the execution of the decree. (S. C. C. & R. C.)

361. The warrant for the execution of the decree shall bear the date of issue, and the day on which it is issued.

and shall be signed by the Judge, or the Registrar or Clerk of the Court, and shall be sealed with the seal of the Court, and delivered to the proper Officer to be executed. (S. C. C. & R. C.)

362. If the warrant be for the arrest of the defendant, it shall direct the Officer entrusted with the execution of the warrant to bring the defendant before the Court. (S. C. C. & R. C.)

363. A day shall be specified in the warrant on or before which it is to be returned. (S. C. C. & R. C.)

364. The Officer entrusted with the execution of the warrant shall endorse thereupon the day on, and the manner in, which it was executed; or if it was not executed, the reason why it was not executed, and shall return the warrant with such endorsement to the Court. (S. C. C. & R. C.)

OF THE EXECUTION OF DECREES FOR IMMOVABLE PROPERTY.

365. If the decree be for any immovable property in the occupancy of the defendant or some person on his behalf, or of some person claiming under a title created by the defendant subsequently to the institution of the suit in which the decree was passed, the Court shall order delivery to be made by putting the party to whom the property shall have been adjudged, or any person whom he may appoint to receive delivery on his behalf, in possession of the property, and, if need be, by removing any person who may refuse to vacate the same.

366. If the decree be for any immovable property in the occupancy of a tenant or other person entitled to occupy the same, the Court shall order delivery to be made by affixing a copy of the warrant in some conspicuous place on the property, and proclaiming to the occupant by beat of drum, or in such other mode as may be customary, at some convenient place, the substance of the decree in regard to the property.

367. If the decree be for the partition of an estate, or for the separate possession of a share of an undivided estate paying revenue to Government, the partition of the estate or the separation of the share shall be made according to the rules (if any) in force in the District for the partition of an estate paying revenue to Government.

368. If in the execution of a decree for any immovable property, the Officer entrusted with the execution of the warrant shall be resisted or obstructed by any person, the person in whose favour the decree was made may complain to the Court at any time within one month from the time of such resistance or obstruction. The Court shall

fix a day for investigating the complaint, and shall summon the party against whom the complaint is made to answer the same.

369. If it shall appear to the satisfaction of the Court that the obstruction or resistance was occasioned by the defendant or by some person at his instigation, on the ground that the property is not included in the decree or on any other ground, the Court shall enquire into the matter of the complaint and pass such order as may be proper.

370. If the Court shall be satisfied that the resistance or obstruction complained of was without any just cause, and that the complainant is still resisted or obstructed in obtaining effectual possession of the property adjudged to him by the decree, by the defendant or some person at his instigation, the Court may, at the instance of the decree-holder, and without prejudice to any proceedings to which such defendant or other person may be liable under the Indian Penal Code or any other law for the punishment of such resistance or obstruction, commit the defendant or such other person to jail for any period not exceeding thirty days which may be necessary to prevent the continuance of such obstruction or resistance.

371. If the resistance or obstruction to the execution of the decree has been occasioned by any person other than the defendant, claiming *bonâ fide* to be in possession of the property on his own account or on account of some person other than the defendant, the claim shall be numbered and registered as a suit between the decree-holder as plaintiff and the claimant as defendant, and the Court shall, without prejudice to any proceedings to which the claimant may be liable under the Indian Penal Code or any other law for the punishment of such resistance or obstruction, proceed to investigate the claim in the same manner and with the like power as if a suit for the property had been instituted by the decree-holder against the claimant under the provisions of Chapter IV, and shall pass such order for staying execution of the decree or executing the same, as it may deem proper.

372. If any person other than the defendant shall be dispossessed of any property in execution of a decree and such person shall dispute the right of the holder of the decree to dispossess him of such property under the decree, on the ground that the property was *bonâ fide* in his possession on his own account or on account of some person other than the defendant, and that it was not included in the decree, or that, if it was included in the decree, he was not a party to the suit in which the decree was passed, he may apply to the Court within one month from the date of such dispossession; and if, after examining the applicant, it shall appear to the Court that there is probable cause for making the application, the application shall be numbered and

registered as a suit between the applicant as plaintiff and the holder of the decree as defendant, and the Court shall proceed to investigate the matter in dispute in the same manner and with the like power as if a suit for the property had been instituted by the applicant against the holder of the decree under the provisions of Chapter IV.

373. The order passed under either of Sections 371 and 372 shall be in the nature of, and shall have the same force as, a decree in a suit, and shall be subject to the same conditions as to appeal or otherwise. No fresh suit shall be entertained in any Court between the same parties or persons claiming under them, in respect of the same cause of action: Provided that nothing in the last preceding Section shall prevent any person, instead of applying to the Court as provided therein, from instituting a suit to establish his right to the property of which he may consider himself to have been wrongfully dispossessed.

OF THE EXECUTION OF DECREES FOR MONEY BY ATTACHMENT OF PROPERTY.

374. If the decree be for money, and the amount of the decree is to be levied from the property of the person against whom the decree shall have been passed, the Court shall cause the property to be attached in the manner hereinafter provided. (S. C. C. & R. C.)

375. If the property be movable property in the possession of the defendant, other than the property mentioned in Section 377, the attachment shall be made by actual seizure, and the proper Officer shall, except in the case of perishable articles, which he may sell at once, keep the property in his own custody or in the custody of one of his subordinates, and shall be responsible for the due custody thereof. (S. C. C. & R. C.)

376. If the property be movable property to which the defendant is entitled subject to a lien or right of some other person to the immediate possession thereof, the attachment shall be made by a written order prohibiting the person in possession from giving over the property to the defendant. (S. C. C. & R. C.)

377. If the property be a debt, not being a negotiable instrument, or a share in any public Company or in public Corporation, the attachment shall be made by a written order prohibiting the creditor from receiving the debt and the debtor from making payment thereof to any person until the further order of the Court, or prohibiting the person in whose name the share may be standing from making any transfer of the share or receiving payment of any dividend thereon, and the proper Officer of the

Company or Corporation from permitting any such transfer or making any such payment, until such further order. (S. C. C. & R. C.)

378. If the property be immovable, the attachment shall be made by a written order prohibiting the defendant from alienating the property in any way and all persons from receiving the same by purchase, gift or otherwise. (R. C.)

379. In the case of movable property not in the possession of the defendant, a copy of the order shall be fixed up in some conspicuous part of the Court-house, and a copy of the order shall be delivered or sent registered by post to the person in possession of the property. (S. C. C. & R. C.)

380. In the case of immovable property, the order shall be read aloud at some place on or adjacent to such property, and a copy of the order shall be fixed up in a conspicuous part of the Court-house. When the property is land or any interest in land, a copy of the order shall also be fixed up in the Office of the Collector of the District in which the land is situate. (R. C.)

381. If the property consist of money or of any security in deposit in any Court of Justice or in the hand of any Officer of Government, which is or may become payable or deliverable to the defendant or on his behalf, the attachment shall be made by a notice to such Court or Officer requesting that the money or security and any interest or dividend becoming payable thereon may be held subject to the further orders of the Court: Provided that if such money or security is in deposit in a Court of Justice, any question of title or priority which may arise between the decree-holder and any other person, not being the defendant, claiming to be interested in such money or security by virtue of any assignment, attachment or otherwise, shall be determined by the Court in which such money or security is in deposit. (S. C. C. & R. C.)

382. If the property consist of a negotiable instrument, the attachment shall be made by actual seizure, and the instrument shall be brought into Court and shall be held subject to the further orders of the Court. (S. C. C. & R. C.)

383. If the property consist of a debt, a copy of the order shall be fixed up in some conspicuous part of the Court-house, and a copy of the order shall also be delivered or sent registered by post to the debtor, or to each debtor when there are more debtors than one. (S. C. C. & R. C.)

384. If the property consist of a share in the capital or joint-stock of any public Company or Corporation, a copy of the order shall be fixed up in some conspicuous part of the Court-house, and a copy of the order shall also be delivered or sent registered by post to the proper Officer of the Company or Corporation. (S. C. C. & R. C.)

385. When an attachment shall have been made by actual seizure or by written order as aforesaid, and in the case of an attachment by written order, when it shall have been duly intimated and made known in manner aforesaid, any private alienation of the property attached, whether by sale, gift or otherwise, and any payment of debt or dividend or share to the defendant during the continuance of the attachment, shall be void as against the party on whose application the attachment was made, if the claim of such party shall not have been satisfied. (S. C. C. & R. C.)

386. When a debtor is prohibited under Section 377 from making payment of his debt to the party to whom the money is owing, he may pay the amount into Court, and such payment shall have the same effect as payment to the party entitled to receive the same. (S. C. C. & R. C.)

387. If the property attached is money or bank-notes, the Court may, at any time during the attachment, direct that such money or bank-notes or a sufficient part thereof be paid over to the party entitled under the decree to receive the same. (S. C. C. & R. C.)

388. The Court may direct that any immovable or movable property not being money or bank-notes which shall have been attached or such portion thereof as may seem necessary for the satisfaction of the decree, shall be sold, and that the money which may be realized by such sale, or a sufficient portion thereof, shall be paid to the party entitled under the decree to receive the same. (S. C. C. & R. C.)

389. When the property attached is land, if the defendant can satisfy the Court that there is reasonable ground to believe that the amount of the decree may be raised by the mortgage of the land, or by letting it on lease, or by disposing by private sale of a portion of the land or of any other property belonging to the defendant, the Court may, on the application of the defendant, postpone the sale for such period as it may think proper, to enable him to raise the amount. In such case the Court shall grant a certificate to the defendant authorizing him within a period to be mentioned therein to sell or mortgage the land or to let it on lease. So long as such certificate shall remain in force, the provision contained in Section 355 shall not apply.

390. When the property attached consists of debts due to the defendant or of any immovable property, the Court may, instead of ordering the sale of the property, appoint a Manager thereof, with power to sue for the debts, and to collect the rents or other receipts and profits of the property, and to execute such instruments in writing as may be necessary, and to pay and apply such rents, profits or receipts towards the payment of the amount of the decree and costs. Instruments executed by a Manager appointed under this Section shall be of the same force as if executed by the person to whom the debts which such Manager is empowered to recover are due, or to whom the property belongs.

391. When a Manager shall be appointed under the last preceding Section, the Court may allow him such fee or commission on his receipts or on the rents and profits of the property by way of remuneration, and may grant him all such powers for the management or the preservation and improvement of the property, and the collection of the rents and profits thereof, and the application and disposal of such rents and profits as to the Court may seem proper. The Manager so appointed shall be bound to render correct accounts of his receipts and disbursements from time to time as the Court may direct.

392. When in any District in which sales of land paying revenue to Government in execution of decrees for money are ordinarily made by the Collector, the property attached consists of such land or of a share in such land, and the Collector shall represent to the Court that the public sale of the land or share is objectionable, and that satisfaction of the decree may be made within a reasonable period by a temporary alienation of the land or share, the Court may authorize the Collector to make provision for such satisfaction in the manner recommended by the Collector, instead of proceeding to a sale of the land or share. In any case in which such authority is given, the Court may order that security be taken from the defendant for the amount of the decree.

393. If at the time of this Code coming into operation in any part of British India, any special Rules shall be in force in such part imposing conditions in respect to the sale of land in execution of decrees for money, the Local Government may continue such Rules in force or it may from time to time modify the same with the sanction of the Governor-General of India in Council. The Rules so in force shall, on this Code coming into operation in such part of British India, be published in the Official Gazette, and any modification of such Rules which may thereafter be made shall be published in like manner.

394. If the amount decreed with costs and all charges and expenses which may be incurred by the attachment of any property be paid into Court, or if satisfaction of the decree be otherwise made, an order shall be issued for the withdrawal of the attachment. If the defendant shall desire it and shall deposit in Court a sum sufficient to cover the expense, the order shall be proclaimed or intimated in the same manner as hereinbefore prescribed for the proclamation or intimation of the attachment, and such steps shall be taken as may be necessary for staying further proceedings in execution of the decree. (S. C. C. & R. C.)

OF CLAIMS TO ATTACHED PROPERTY.

395. If any claim be preferred to, or any objection be made to the sale of attached property, which shall have been attached in execution of a decree, as not liable to be sold in execution of the decree against the defendant, the Court shall, subject to the proviso contained in Section 399, proceed to investigate the claim or objection with the like power as regards the examination of the claimant or objector and in all other respects as if he had been originally made a defendant in the suit. (S. C. C. & R. C.)

396. If the property attached be immovable and it appear to the satisfaction of the Court that such property was not at the time it was attached in the possession of the party against whom execution is sought or of some other person in trust for him, or in the occupancy of a tenant or other person paying rent to him, or that, being in the possession of the party himself at such time, it was so in his possession, not on his own account or as his own property, but on account of or in trust for some other person, the Court shall pass an order for releasing the property from attachment. If it shall appear that the property was in possession of such party subject to a mortgage or lien in favour of some other person, the Court shall continue the attachment subject to the claims of such other person. (R. C.)

397. If the property attached be immovable and it appear to the satisfaction of the Court that the property was, at the time it was attached, in possession of the party against whom execution is sought as his own property and not on account of any other person, or was in the possession of some other person in trust for him, or in the occupancy of a tenant or other person paying rent to him, the Court shall disallow the claim and may order the sale to proceed at such time as it may think proper. (R. C.)

398. The party against whom an order is passed under either of the last two preceding Sections shall be at liberty to bring a suit to establish his right at any time within one year from the date of the order. (R. C.)

399. A claim to attached property or an objection to the sale of such property, shall be made without delay to the Court which shall have ordered the attachment; and if the property to which the claim or objection applies shall have been advertised for sale, the sale may, if it appear necessary, be postponed pending the investigation into the claim or objection: Provided that no such investigation shall be made if it appear that the making of the claim or objection was designedly and unnecessarily delayed with a view to obstruct the ends of justice. (R. C.)

400. If the claim or objection be disallowed or if the Court refuse to investigate it on the ground of delay in making it, the claimant or objector shall be at liberty to prosecute his claim or objection by a suit subject to the law of limitation. (R. C.)

OF SALES IN EXECUTION OF DECREES.

401. Sales in execution of decrees shall be conducted by an Officer of the Court or by any other person whom the Court may appoint, and, except as provided in the next following Section, shall be made by public auction in manner hereinafter mentioned. (S. C. C. & R. C.)

402. If the property to be sold be a negotiable instrument or of a share in any public Company or Corporation, the Court may, instead of directing the sale to be made by public auction, authorize the sale of such instrument or share through a broker at the market-rate of the day. (S. C. C. & R. C.)

403. If the property to be sold be land paying revenue to Government, and the Collector of the District in which the land is situate shall not have been prohibited by the Local Government from selling land in execution of decrees, the sale shall be conducted by such Collector on the requisition of the Court. (R. C.)

404. When any property, whether moveable or immoveable, is ordered to be sold by public auction in execution of a decree, a proclamation of the intended sale, specifying the time and place of sale, the property to be sold, the revenue assessed upon the estate or part of the estate when the property to be sold is an estate or a part of an estate paying revenue to Government, and the amount for the recovery of which the sale is ordered, together with any other particulars that the Court may think necessary, shall be made in the current language of the District. The proclamation shall also declare that the sale shall extend only to the right, title and interest of the defendant in the property specified therein. (S. C. C. & R. C.)

405. The proclamation shall be made on the spot where the property is attached by beat of drum or in such other mode as may be customary; and a written notification to the same effect shall be affixed in the Court-house of the Judge who shall have ordered the sale, and in some conspicuous spot in the town or village in which the attachment shall have taken place. When the property ordered to be sold consists of land or of any right or interest in land, a written notification shall also be affixed in the Office of the Collector of the District in which such land is situate and in the Court-house of the principal Civil Court of the District when the Court which ordered the sale is subordinate to such Court. If the Court shall so direct, such notification shall also be published in the Official Gazette and in some local newspaper. (S. C. C. & R. C.)

406. Except in the case of articles of a perishable nature (which may be sold at once), no sale shall take place until after the expiration of at least thirty days in the case of immovable property, and of at least fifteen days in the case of movable property, calculated from the date on which the notification shall have been affixed in the Court-house of the Judge ordering the sale. (S. C. C. & R. C.)

407. The usual process for attachment and sale, when the property to be attached consists of any movable property other than a debt, may be issued either successively or simultaneously as the Court directing the sale may in each instance think proper. (S. C. C. & R. C.)

408. If the property sold consist of movable property, the price of each lot shall be paid for at the time of sale, or as soon after as the Officer holding the sale shall direct, and in default of payment the property shall forthwith be again put up and sold. On payment of the purchase money, the Officer holding the sale shall grant a receipt for the same, and the sale shall become absolute. (S. C. C. & R. C.)

409. If the purchaser be the holder of the decree in execution of which the property is sold, the amount of his decree may be taken as payment in whole or in part, as the case may be, of the purchase money. (S. C. C. & R. C.)

410. No irregularity in the sale of movable property shall vitiate the sale; but any person who may sustain any injury by reason of such irregularity at the hand of any other person may institute a suit against him for damages. (S. C. C. & R. C.)

411. If the property sold be immovable, the purchaser shall pay immediately after the sale a deposit of twenty-five per centum on

the amount of his purchase money to the Officer conducting the sale, and, in default of such deposit, the property shall forthwith be again put up and sold. The full amount of purchase money shall be paid by the purchaser before sunset of the fifteenth day after the sale of the property, exclusive of such day, or if the fifteenth day be a Sunday or other close holiday, then on the first office day after the fifteenth day: Provided that if the purchaser be the holder of the decree, the amount of his decree may be taken in whole or in part, as the case may be, of the purchase money. (R. C.)

412. In default of payment within the period mentioned in the last preceding section, the deposit, after defraying the expenses of the sale, shall be forfeited to Government, and the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property or to any part of the sum for which it may subsequently be sold. If the proceeds of the sale which is ultimately completed be less than the price bid by such defaulting purchaser, the deficiency and all costs and expenses occasioned by such default shall be recoverable from him under the rules contained in this Chapter for the execution of a decree for money. (R. C.)

413. When the land sold in execution of a decree is a share of an undivided estate, if the lot shall have been knocked down to a stranger, any co-sharer other than the party liable for the amount of the decree, may claim to take the share sold at the sum at which the lot was knocked down: Provided that the claim be made before sunset on the day of sale and that the claimant fulfil all the conditions of the sale. (R. C.)

414. Every re-sale of immovable property in default of payment of the purchase money within the period allowed for such payment, shall be made after the issue of a fresh notification in the manner and for the period hereinbefore prescribed for the sale. (R. C.)

415. No sale of immovable property shall become absolute until it shall have been confirmed by the Court. (R. C.)

416. At any time within thirty days from the date of the sale of any immovable property, application may be made to the Court to set aside the sale on the ground of a material irregularity in publishing or conducting the sale, but no sale shall be set aside on the ground of irregularity unless the applicant shall prove to the satisfaction of the Court that he has sustained substantial injury by reason of such irregularity. (R. C.)

417. If no such application as is mentioned in the last preceding Section be made, or if such application be made and the objection be disallowed, the Court shall pass an order confirming the sale. If such application be made, and if the objection be allowed, the Court shall pass an order setting aside the sale for irregularity. No suit shall lie to set aside or render void an order passed under this Section. (R. C.)

418. When a sale of immovable property is set aside, the purchaser shall be entitled to receive back his purchase money with or without interest as the Court shall direct. Payment of the purchase money and of the interest (if any) allowed by the Court shall be enforced under the rules provided by this Chapter for the execution of a decree for money. (R. C.)

419. When a sale of immovable property shall have become absolute in manner aforesaid, the Court shall grant a certificate to the person who shall have been declared the purchaser of the property, to the effect that he has purchased the right, title and interest of the defendant in the property sold, and such certificate shall be taken and deemed to be a valid transfer of such right, title and interest. (R. C.)

420. The certificate shall state the name of the person who, at the time of sale, is declared to be the purchaser, and no suit brought against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall lie. (R. C.)

421. When the property sold consists of any movable property in the possession of the defendant, or to the immediate possession of which he is entitled, and of which actual seizure has been made, the property shall be delivered to the purchaser. (S. C. C. & R. C.)

422. When the property sold consists of any movable property to which the defendant is entitled subject to a lien or right of any person to the immediate possession thereof, the delivery to the purchaser shall be made by giving notice to the person in possession, prohibiting him from delivering possession of the property to any person except the purchaser. (S. C. C. & R. C.)

423. When the property sold consists of any immovable property in the occupancy of the defendant or of some person on his behalf, or of some person claiming under a title created by the defendant subsequently to the attachment of such property, the Court shall order delivery to be made by putting the purchaser

or any person whom he may appoint to receive delivery on his behalf, in possession of the property, and, if need be, by removing any person who may refuse to vacate the same. (R. C.)

424. When the property sold consists of immovable property in the occupancy of a tenant or other person entitled to occupy the same, the Court shall order delivery thereof to be made by affixing a copy of the certificate of sale in some conspicuous place on the property, and proclaiming to the occupant by beat of drum or in such other mode as may be customary, at some convenient place, that the right, title and interest of the defendant have been transferred to the purchaser. (R. C.)

425. When the property sold consists of a debt not being a negotiable instrument or of a share in any Railway, Banking or other public Company or Corporation, the delivery thereof shall be made by a written order of the Court prohibiting the creditor from receiving the debt or any interest thereon, and the debtor from making payment thereof to any person except the purchaser, or prohibiting the person in whose name the share may be standing from making any transfer of the share to any person except the purchaser, or receiving payment of any dividend or interest thereon, and the Manager, Secretary or other proper Officer of the Company or Corporation from permitting any such transfer or making any such payment to any person except the purchaser. (S. C. C. & R. C.)

426. When the property sold consists of a negotiable instrument of which actual seizure has been made, the same shall be delivered to the purchaser of such security. (S. C. C. & R. C.)

427. If the endorsement or conveyance of the party in whose name a negotiable instrument or a share in any Railway, Banking or other public Company or Corporation is standing shall be required to transfer such instrument or share, the Judge may endorse the instrument or the certificate of the share or may execute such other document as may be necessary. The endorsement or execution shall be in the following form or to the like effect:—"A. B. by C. D., Judge of the Court of (or as the case may be); in a suit by E. F. against A. B." Until the transfer of such instrument or share, the Court may, by order, appoint some person to receive any interest or dividend due thereon, and to sign a receipt for the same; and any endorsement made or document executed or receipt signed as aforesaid shall be as valid and effectual for all purposes as if the same had been made or executed or signed by the party himself. (S. C. C. & R. C.)

428. If the purchaser of any immovable property sold in execution of a decree shall be resisted or obstructed by the defendant or any one on his behalf in obtaining possession of the property, the provisions of this Chapter relating to re-

sistance or obstruction to a party in whose favour a decree has been made in obtaining possession of the property adjudged to him, shall be applicable. (R. C.)

429. If it shall appear that the resistance or obstruction to the delivery of possession was occasioned by any person other than the defendant, claiming a right to the possession of the property sold as proprietor, mortgagee, lessee, or under any other title, or if, in the delivery of possession to the purchaser, any such person claiming as aforesaid shall be dispossessed, the Court, on the complaint of the purchaser, or of such person claiming as aforesaid, if made within one month from the date of such resistance or obstruction or of such dispossession, as the case may be, shall enquire into the matter of the complaint and pass such order as may be proper. The party against whom the order is passed shall be at liberty to bring a suit to establish his right to the property at any time within one year from the date of such order. (R. C.)

430. When property is sold in execution of a decree, the holder of the decree on whose application such property was first attached, whether during the pendency of the suit or in execution of the decree, shall be entitled to be first paid out of the proceeds thereof, notwithstanding a subsequent attachment of the same property by another party in execution of another decree whether of a prior or of a later date. (S. C. C. & R. C.)

431. If, after the claim of the person on whose application the property was attached has been satisfied in full from the proceeds of the sale, any surplus remain, such surplus shall be distributed rateably amongst any other persons who, prior to the order for such distribution, may have taken out execution of decrees against the same defendant and may not have obtained satisfaction thereof: Provided that when any property is sold subject to a mortgage, the mortgagee shall not be entitled in respect of such mortgage to share in any surplus arising from such sale. (S. C. C. & R. C.)

432. If it shall appear to the Court upon the application of the holder of a decree, that any other decree under which property has been attached was obtained by fraud or other improper means, the Court may order that the applicant shall be satisfied out of the proceeds of the property attached so far as the same may suffice for the purpose, if such other decree be a decree of the same Court; or, if it be a decree of another Court, may stay the proceedings to enable the applicant to obtain a similar order from the Court by which the decree was made. (S. C. C. & R. C.)

OF ARREST IN EXECUTION OF DECREES FOR MONEY.

433. Any person arrested under a warrant in execution of a decree for money may, on being brought before the Court, apply for his discharge on the ground that he has no present means of paying the debt, either wholly or in part, or, if he is possessed of any property, that he is willing to place at the disposal of the Court whatever property he possesses. (S. C. C. & R. C.)

434. The application shall contain a full account of all property of whatever description belonging to the applicant (except the necessary wearing apparel of himself and his family and the necessary implements of his trade), whether it is in possession or in expectancy and whether held exclusively by himself or jointly with any other person, or by any other person in trust for him and of the place where such property is to be found, or shall state that, with the exceptions above mentioned, the applicant is not possessed of any property, and the application shall be subscribed and verified by the applicant in the manner hereinbefore prescribed for subscribing and verifying plaints. (S. C. C. & R. C.)

435. When a person arrested under a warrant in execution of a decree for money shall, on being brought before the Court, apply for his discharge under Section 433, the Court shall examine the applicant in the presence of the holder of the decree or his Advocate, as to his then circumstances, and as to his future means of payment, and shall call upon the holder of the decree to show cause why he does not proceed against any property of which the defendant is possessed, and why the defendant should not be discharged. Should the holder of the decree fail to show such cause, the Court may direct the discharge of the defendant from custody. (S. C. C. & R. C.)

436. Pending any enquiry which the Court may consider it necessary to make into the allegations of either party, the Court may, instead of ordering the immediate committal of the defendant to jail, leave him in the custody of the Officer of the Court to whom the service of the warrant was entrusted, on the defendant depositing the fees of such Officer, which shall be at the same daily rate as the lowest rate charged in the same Court for serving process; or if the defendant furnish sufficient security for his appearance at any time when called upon while such enquiry is being made, his surety undertaking in default of such appearance to pay the amount mentioned in the warrant, the Court may release the defendant on such security. (S. C. C. & R. C.)

437. The discharge of the defendant under Section 435 shall not protect him from being arrested again and imprisoned if it be shown that, in the application made by him, he had been guilty of any concealment or of wilfully making any false statement respecting the property belonging to him, whether in possession or in expectancy or held for him in trust, or had fraudulently concealed, transferred or removed any property, or had committed any other act of bad faith; nor shall such discharge exempt from attachment and sale any property then in the possession of the defendant, or of which he may afterwards become possessed. (S. C. C. & R. C.)

OF THE EXECUTION OF DECREES BY IMPRISONMENT.

438. The imprisonment of the defendant in execution of a decree may be in the jail of the District in which the Court ordering the imprisonment is held, or, when such jail does not afford suitable accommodation, in any jail though not in such District where there may be suitable accommodation, which the Local Government may appoint for the confinement of persons or of any class of persons ordered to be imprisoned by the Courts of such District. (S. C. C. & R. C.)

439. When the defendant is committed to jail in execution of a decree, the Court shall fix whatever monthly allowance it shall consider sufficient with reference to the class of persons to which he belongs, for his subsistence, but (except as provided in the next succeeding Section) not exceeding four annas per day, which sum shall be supplied by the party on whose application the decree shall have been executed, to the proper Officer of the Court or of the jail in which the defendant may be confined, by monthly payments in advance before the first day of each month. The first payment shall be made for such portion of the current month as may remain unexpired before the defendant is committed to jail. (S. C. C. & R. C.)

440. The Court may, in case of illness or for other special cause, fix the monthly allowance at such sum not exceeding six annas per day as shall appear necessary. The order fixing such allowance may from time to time be revised and altered on due cause being shown. (S. C. C. & R. C.)

441. Sums disbursed by the holder of a decree for the subsistence of the defendant in jail shall be added to the costs of the decree, and shall be recoverable by the attachment and sale of the defendant's property under the rules contained in this Chapter for the execution of a decree for money: Provided that the defendant shall not be detained in jail or arrested on account of any sum so disbursed. (S. C. C. & R. C.)

442. The defendant shall be discharged from jail at any time, by order of the Court, on the decree being fully satisfied, or at the request of the person on whose application he shall have been imprisoned, or on such person omitting to pay the allowance as hereinbefore directed. (S. C. C. & R. C.)

443. No person shall be imprisoned in execution of a decree for a longer period than two years; or for a longer period than six months if the decree be for the payment of a sum of money not exceeding five hundred rupees; or for a longer period than three months if the decree be for the payment of a sum of money not exceeding fifty rupees. (S. C. C. & R. C.)

444. Any person imprisoned in execution of a decree may at any time apply to the Court which ordered his imprisonment for his discharge on the ground of his inability to pay the amount of the decree in execution of which he is imprisoned. (S. C. C. & R. C.)

445. The application shall contain a full account of all property of whatever nature belonging to the applicant (except the necessary wearing apparel of himself and his family and the necessary implements of his trade), whether such property is in possession or in expectancy, and whether it is held exclusively by himself or jointly with any other person, or by any other person in trust for him, and of the places where such property is to be found. The application shall be subscribed and verified by the applicant in the manner hereinbefore provided for subscribing and verifying plaints. (S. C. C. & R. C.)

446. On such application being made, the Court shall cause the holder of the decree to be furnished with a copy of the account of the property of the defendant, and shall fix a reasonable period within which the holder of the decree may cause such property or any part thereof to be attached and sold, or may furnish proof that the defendant, for the purpose of procuring his discharge without satisfying the decree, has wilfully concealed property or his right or interest in any property or fraudulently transferred or removed property, or committed any other act of bad faith. (S. C. C. & R. C.)

447. If within such period the holder of the decree shall fail to furnish such proof, the Court shall order the defendant to be discharged from jail. (S. C. C. & R. C.)

448. If the holder of the decree shall, within the time specified or at any subsequent period, prove to the satisfaction of the Court that the defendant has been guilty of any of the acts mentioned

in Section 446, the Court shall, at the instance of the holder of the decree, either retain the defendant in confinement, or commit him to jail, as the case may be, unless he shall have already been in confinement two years on account of the decree.

The Court may, if it think proper, send the defendant to the Magistrate to be dealt with according to law. (S. C. C. & R. C.)

449. A defendant once discharged from jail shall not again be imprisoned on account of the same decree, except under the operation of Section 437 or the last preceding Section; but his property shall continue liable to attachment and sale until the decree shall be fully satisfied, unless the decree shall be for a sum of money not exceeding twenty Rupees. (S. C. C. & R. C.)

450. If the decree shall be for a sum of money less than one hundred Rupees, the Court may declare a defendant who shall be discharged as aforesaid absolved from further liability under such decree. (S. C. C. & R. C.)

451. Questions regarding the amount of any mesne profits which by the terms of the decree shall have been reserved for adjustment in the execution of the decree, or of any mesne profits or interest which may be payable in respect of the subject-matter of a suit between the date of the institution of the suit and execution of the decree, as well as questions relating to sums alleged to have been paid in discharge or satisfaction of the decree, and any other questions arising between the parties to the suit in which the decree was passed and relating to the execution of the decree, shall be determined by order of the Court executing the decree, and not by a separate suit. (S. C. C. & R. C.)

OF PAYMENT OF THE AMOUNT OF DECREES FOR MONEY BY INSTALMENTS.

452. The Court may order that the amount of a decree for money be paid by instalments on such terms as to the payment of interest, the attachment of the property of the defendant, or the taking of security from him or otherwise as it may deem proper, notwithstanding that the decree make no provision for the payment by instalments of the amount decreed. (S. C. C. & R. C.)

OF SERVICE OF PROCESS IN MILITARY CANTONMENTS.

453. If, in the execution of a decree, process is to be executed within the limits of a Cantonment, Garrison, Military Station or Military Bazar, the Officer entrusted with the execution of such process shall carry the same to the Commanding Officer, or in his absence to the senior Officer actually present in the Cantonment, Garrison, Station or Military Bazar; and

the Commanding Officer or such senior Officer, upon such process being produced to him, shall back the same with his signature, and, in the case of a warrant of arrest, shall cause the person named in the warrant to be arrested if within the limits of his command, and delivered, according to the exigency of the warrant, to the Officer charged with the execution thereof. (S. C. C. & R. C.)

OF EXECUTION OF A DECREE BEYOND THE LOCAL LIMITS OF THE JURISDICTION OF THE COURT BY WHICH IT WAS PASSED.

454. A decree of any Court in British India or established by the authority of the Governor-General of India in Council in the Territories of any foreign Prince or State in India which cannot be executed within the jurisdiction of the Court whose duty it is to execute the same, may be executed in the manner hereinafter provided, within the jurisdiction of any other such Court: Provided that no Court of Small Causes shall have power to execute the decree of any other Court except a decree for money of an amount exclusive of costs not exceeding the pecuniary jurisdiction of the Court of Small Causes to which the application for the execution of the decree of another Court is made. (S. C. C. & R. C.)

455. The holder of a decree may apply to the Court whose duty it is to execute the same to send a copy of the decree, together with a certificate setting forth that satisfaction of the decree has not been obtained by execution within the jurisdiction of such Court, or, where the decree has been executed in part, the extent to which satisfaction has been obtained and what part of the decree remains unexecuted, and a copy of any order for execution of the decree that shall have been passed, to the Court by which the holder of the decree wishes it to be executed. (S. C. C. & R. C.)

456. The Court, unless there be any sufficient reason to the contrary, shall cause such copies and certificate to be prepared and shall send the same by post to the Court by which the holder of the decree wishes the decree to be executed, if such Court be within the same District, or otherwise to the principal Civil Court of original jurisdiction in the District in which the holder of the decree wishes that execution may take place. Such copies and certificate shall be signed by the Judge or Registrar or Clerk of the Court and shall be sealed with the seal of the Court. (S. C. C. & R. C.)

457. The Court to which such copies and certificate are sent shall cause the same to be filed, without any proof of the decree or order for execution, or of the copies thereof or of the seal or signature of any Court, or of the signature of any Judge or Officer, unless the Court shall, under any peculiar circumstances to be specified in an order, require such proof. (S. C. C. & R. C.)

458. The copy of the decree and of any order for execution, when filed in the Court to which such copy shall have been sent for the purpose of being executed as aforesaid, shall for such purpose have the same effect as a decree or order for execution made by such Court, and may, if the Court be the principal Civil Court of original jurisdiction in the District, be executed by such Court, or any Court subordinate thereto to which such principal Civil Court may entrust the execution of the same. (S. C. C. & R. C.)

459. When the holder of a decree which shall have been sent under the foregoing provisions for execution by a Court other than the Court which passed the decree, shall apply for execution of the decree to the Court to which it shall have been so sent, such Court, or any subordinate Court to which the execution of the decree may be entrusted, shall proceed to execute the decree according to the provisions of this Chapter so far as the same can be made applicable, or to its own rules in the like cases when such rules exist and have the force of law: Provided that such Court shall have no power to enquire into the validity of the decree unless it appear upon the face of the decree that the Court by which it was passed had no jurisdiction to pass it. (S. C. C. & R. C.)

460. If the Court to which the decree is transmitted for execution be a High Court, the decree shall be executed by such Court in the same manner as if the decree had been passed by such Court in the exercise of its ordinary original Civil jurisdiction: Provided that no decree shall be transmitted for execution by a High Court if the decree was made by a Court of Small Causes, or in a case cognizable by a Court of Small Causes.

461. The Court to which the holder of the decree shall so apply, shall have the same powers in executing the decree as the Court by which it was passed would have had if the decree had been capable of being executed within the jurisdiction of the said Court. (S. C. C. & R. C.)

462. The Court to which such application is made or referred for execution as aforesaid, shall take cognizance of and punish all wrongful acts or irregularities done or committed in executing such decree; and all persons disobeying or obstructing the execution of the decree shall be punishable by such Court in the same manner as if the decree had been made by such Court. (S. C. C. & R. C.)

463. The Court to which such application is made or referred as aforesaid, may, upon sufficient cause being shown, stay the execution of the decree for a reasonable time, to enable the defendant to apply to the Court by

which the decree was passed, or to any Court having appellate jurisdiction in respect of the decree or the execution thereof, for an order to stay the execution, or for any other order relating to the decree or execution which such Court of first instance or appellate Court might have made if execution had been issued by such Court of first instance or if application for execution had been made to such Court; and in case the property or person of the defendant shall have been seized under an execution, the Court which issued the execution may order the restitution of the property or the discharge of the person of the defendant pending the result of such application. (S. C. C. & R. C.)

464. Before passing an order to stay execution or for the restitution of property or the discharge of the defendant under the last preceding Section, the Court may require such security from, or impose such conditions upon, the defendant, as it may deem reasonable. (S. C. C. & R. C.)

465. Any order of the Court in which the decree was passed or of such Court of appeal as aforesaid, shall be binding upon the Court to which the application for execution was made, and shall be a sufficient indemnity for all persons acting in execution of any process issued by such last mentioned Court. (S. C. C. & R. C.)

466. No discharge of a defendant under the provisions of Section 463, shall prevent such defendant from being retaken in execution of the decree. (S. C. C. & R. C.)

467. The orders of a Court for executing the decree of another Court shall be subject to the same rules in respect of appeal, as if the decree had been originally passed by the Court making such order.

OF THE ENFORCEMENT OF REGISTERED BONDS.

468. A bond which shall have been registered under the provisions of Act XVI of 1864 (to provide for the Registration of Assurances) may be enforced without a suit: Provided that the parties to such bond shall, at the time of the registration thereof, have signified their assent to its being so enforced, and that such assent shall have been recorded at the foot of the memorandum of registration on such bond at the time it was registered. (S. C. C.)

469. No bond shall be enforced under the provisions of the last preceding Section unless application for its enforcement be made within twelve months from the date on which the whole amount secured thereby became payable: Provided that nothing herein contained shall be construed to

prevent the obligee of a bond payable by instalments from suing on the bond before all the instalments shall have become due. (S. C. C.)

470. Any person who is desirous of enforcing a bond under Section 468 may apply to any Court which would have had jurisdiction to try a suit on such bond for the enforcement of the same, (S. C. C.)

Court to which application may be made for enforcing bonds.

471. Such application shall be treated as an application for the execution of a decree, and the foregoing provisions of this Chapter relating to execution of decrees shall, except as hereinafter provided, apply in such case so far as shall be practicable. (S. C. C.)

Application to be treated as for execution of a decree.

472. The Court to which such application is made shall cause a notice to be served on the person against whom the enforcement is applied for, calling on him to show cause within a time to be specified in the notice, why execution for the amount stated in the application should not be issued against him. (S. C. C.)

Procedure of Court on receipt of application.

473. If the person making the application shall satisfy the Court that the party against whom the claim is made is about to leave the jurisdiction of the Court, or to dispose of or remove his property from the jurisdiction of the Court in order to evade payment of the money claimed to be due from him, the Court may issue process of attachment against the person or property of such party. (S. C. C.)

Attachment may issue against debtor about to quit jurisdiction, or to move property therefrom.

474. Whenever such attachment is applied for, the provisions contained in Chapter IV relating to arrest and attachment before judgment shall be applicable. (S. C. C.)

Chapter IV applicable to attachments applied for.

475. If it appear to the Court that the arrest of the person against whom the claim is made or the attachment of his property was applied for on insufficient grounds, or if the application for enforcing the bond is disallowed and it appear to the Court that there was no ground for making the application, the Court may, on the application of the party against whom the claim is made, award in its order against the party making the application such sum, not exceeding one thousand rupees, as it may deem a reasonable compensation to the party against whom the claim is made for his arrest or the attachment of his property: Provided that the Court shall not award a larger amount of compensation under this Section than it is competent to such Court to decree in an action for damages. (S. C. C.)

Compensation to person against whom claim is made if arrest or attachment of property be applied for on insufficient grounds.

Limit to compensation.

476. An award of compensation made under the last preceding Section shall bar any suit for damages in respect of such arrest or attachment, and may be enforced under the rules contained in this Chapter for the execution of decrees, and all the provisions of this Code shall be applicable to the proceedings in such execution. (S. C. C.)

Award of compensation to bar suit for damages.

477. If the person against whom execution is applied for shall attend within the time mentioned in the notice, and show cause why execution should not be issued against him, the Court shall enquire into his objection, and pass such order as it shall think proper. (S. C. C.)

Procedure when person against whom execution is claimed appears and shows cause against issue of execution.

478. No person shall be allowed to plead in bar of execution any plea other than that he was not a party to the registration of the bond, or that the Court has not jurisdiction, or that the application is barred in consequence of its not having been made within the time allowed, or that the bond has been paid or has been satisfied in some other way, or is for any reason no longer in force, or that the amount claimed exceeds that which is remaining due, whether for principal or interest, or, when application is made against a person as the representative of a deceased person, that he is not such representative, or that he has never received any assets from the deceased, or, if the representative have received assets, that he has paid them away or that they are not sufficient to discharge the debt. (S. C. C.)

Pleas in bar of execution.

479. The Court to which application is made for the enforcement of a bond under Section 468 may, for any sufficient reason, instead of granting such application, order that a suit shall be brought on such bond. (S. C. C.)

Court may direct institution of suit, instead of enforcing bond under Section 468.

480. No suit between the same parties, or persons claiming under them respectively, shall be entertained on any bond the enforcement of which shall have been refused by the Court on an application for enforcement made under Section 468 otherwise than as barred by lapse of time, unless the Court shall have refused the application by reason of its not having been preferred within the period prescribed by Section 469, or shall have directed a suit to be brought under the last preceding Section. (S. C. C.)

Effect of Court refusing to enforce bond under Section 468 or 469.

481. Nothing in the foregoing Sections shall be held to prevent the obligee of a bond, registered as aforesaid, from instituting a suit to recover the amount subject to the law of limitations, instead of applying for the enforcement of the bond under the foregoing provisions. (S. C. C.)

Foregoing provisions not to bar suit by obligee.

482. The provisions of Chapter IV relating to the summoning, attendance, and examination of witnesses, and to the remuneration of and penalties to be imposed upon witnesses, shall apply to wit-

Attendance, examination and punishment of witnesses required to give evidence.

nesses required to give evidence or to produce documents under the provisions of this Chapter. Any penalty to which a witness may be liable under this Section shall be imposed by the Court from which the process was issued. (S. C. C. & R. C.)

CHAPTER VI.

OF PAUPER SUITS.

483. A suit may be brought *in formâ pauperis* in the Court having jurisdiction over the claim, subject to the following rules. (S. C. C.)

Suits may be brought in formâ pauperis.

484. No suit shall be brought *in formâ pauperis* to recover money on account of damages for loss of caste, slander, abusive language or assault. (S. C. C.)

What suits excepted.

485. The application for permission to institute a suit *in formâ pauperis* shall be by petition written on stamp paper of the value of one Rupee. (S. C. C.)

Application to be by petition on stamp paper.

486. The petition shall contain the particulars required by Section 53 in regard to plaints in suits, and shall have annexed to it a Schedule of any movable or immovable property belonging to the petitioner, with the estimated value thereof, and shall be subscribed and verified in the manner prescribed by this Code for the subscription and verification of plaints. (S. C. C.)

Contents of petition.

487. The petition shall be presented to the Court by the petitioner in person; but if he satisfy the Court that he is prevented by sickness from attending the Court in person, or if the petitioner be a female who, according to the custom and manners of the country, ought not to be compelled to appear in public, the petition may be presented by a duly authorized agent who may be able to answer all material questions relating to the application and who shall be liable to be examined in the same manner as the party represented by him might have been examined had such party attended in person. (S. C. C.)

Presentation of petition.

Petition of certain females may be presented by agent.

488. If the petition be not framed or presented in the manner laid down in the last two preceding Sections, the Court shall reject it. (S. C. C.)

Rejection of petition.

489. If the petition be in form and duly presented, the Court shall proceed to examine the petitioner, or his agent when the petitioner is allowed to appear by agent, regarding the merits of the claim and the property of the petitioner. When the petition is presented by an agent, the Court may, if it think proper, order that the petitioner be examined by a Commission in the manner in

Examination of petitioner.

If presented by agent, Court may order petitioner to be examined by Commission.

which the examination of an absent witness may be taken under the provisions of this Code. (S. C. C.)

490. If it appear to the Court upon such examination that the defendant, or the subject-matter of the suit, is not within the jurisdiction of the Court, or that the right of action is barred by lapse of time, or that the allegations of the petitioner do not constitute a ground of action, or, if none of the foregoing objections exist, that the petitioner has failed to show that he is not possessed of sufficient means to enable him to pay for the stamp duty prescribed by any law for the plaint, or that the petitioner has recently disposed of any property fraudulently or with a view to obtain the benefit of this Chapter, the Court shall refuse to allow the petitioner to sue *in formâ pauperis*. (S. C. C.)

Rejection of application.

491. If upon such examination the Court shall see no reason to refuse the application on any of the grounds stated in the last preceding Section, it shall fix a day, of which at least ten days' previous notice shall be given to the opposite party, for receiving such evidence as the petitioner may adduce in proof of his being a pauper and for hearing any evidence which the opposite party may bring forward in disproof of his pauperism. (S. C. C.)

Notice to opposite party, if application not refused, of day for receiving evidence of petitioner's pauperism.

492. On the day appointed for the hearing or as soon after as may be convenient, the Court shall consider any objections made by the opposite party, and shall examine any witnesses produced by either party, and make a memorandum of the substance of their evidence, and shall either allow or refuse to allow the petitioner to sue *in formâ pauperis*. (S. C. C.)

Procedure at hearing.

493. Either party may, on application to the Court made in sufficient time before the day fixed for the hearing of the case, obtain a summons to any person to attend either to give evidence or to produce a document. (S. C. C.)

Summons to witness.

494. Previously to passing a final order in the case, the Court may, if it think fit, institute a local enquiry in the manner laid down in Chapter IV regarding the property of the petitioner or regarding the amount or value of any property claimed. (S. C. C.)

Court may institute local enquiry.

495. If the application of the petitioner be granted, it shall be numbered and registered and shall be deemed the plaint in the suit, and the suit shall proceed in all other respects as a suit instituted under Chapter IV, except that the plaintiff shall not be liable to any stamp duty in respect of any petition, appointment of an Advocate, or other proceeding connected with the suit. (S. C. C.)

Procedure if application admitted.

496. On the decision of the suit, the Court shall calculate the amount of stamp duty which would have been paid by the plaintiff if he had not been permitted to sue *in forma pauperis* and such amount shall be recoverable by Government from any party ordered by the decree to pay the same, in the same manner as costs of suit are recoverable under this Code. (S. C. C.)

497. The refusal to allow the petitioner to sue *in forma pauperis* shall be a bar to any subsequent application of the like nature in respect of the same cause of action; but the plaintiff shall be at liberty to institute a suit in the ordinary manner in respect of such cause of action, unless precluded by the law of limitations. (S. C. C.)

498. The provisions of Chapter IV relating to the summoning, attendance, examination & punishment of witnesses, and to the remuneration of and penalties to be imposed upon witnesses, shall apply to witnesses and other persons required to give evidence or to produce documents under the provisions of this Chapter. (S. C. C.)

CHAPTER VII.

REFERENCE TO ARBITRATION.

499. If the parties to a suit desire that any matter in difference between them in the suit shall be referred to arbitration, they may, at any time during the pendency of the suit, apply to the Court for an order of reference. (S. C. C. & R. C.)

500. The application shall be in writing, and shall bear the stamp prescribed for petitions to the Court where a stamp is required for petitions. (S. C. C. & R. C.)

501. The arbitrator shall be nominated by the parties in such manner as may be agreed upon between them. (S. C. C. & R. C.)

502. If the parties cannot agree with respect to the nomination of the arbitrator, or if the person whom they nominate shall refuse to accept the arbitration and the parties are desirous that the nomination shall be made by the Court, the Court shall nominate the arbitrator. (S. C. C. & R. C.)

503. The Court shall, by an order, refer to the arbitrator the matter in difference which he may be required to determine, and shall fix such time as it may think reasonable for the delivery of the award, and specify such time in the order. (S. C. C. & R. C.)

504. If the reference be to two or more arbitrators, provision shall be made in the order for a difference of opinion among the arbitrators, by the appointment of an umpire, or if the number of arbitrators be uneven, by declaring that the decision shall be with the majority, or by empowering the arbitrators to appoint an umpire, or otherwise as may be agreed between the parties; or, if they cannot agree, as the Court may determine. If the number of arbitrators is uneven, in the absence of a declaration in the reference that all the arbitrators shall concur in the award, the decision shall be with the majority. (S. C. C. & R. C.)

505. If the arbitrator, or where there are more arbitrators than one, any of the arbitrators, or the umpire, shall die, or refuse, or neglect, or become incapable to act, the Court, if the parties so desire, may appoint a new arbitrator or umpire in the place of the person so dying, or refusing or neglecting or becoming incapable to act. (S. C. C. & R. C.)

506. Where the arbitrators are empowered by the terms of the order of reference to appoint an umpire and fail to do so, any of the parties may serve the arbitrators with a written notice to appoint an umpire; and if within seven days after such notice shall have been served, no umpire be appointed, it shall be lawful for the Court, upon the application of the party having served such notice as aforesaid, and upon proof to its satisfaction of such notice having been served, to appoint an umpire. (S. C. C. & R. C.)

507. An arbitrator or umpire appointed under either of the last two preceding Sections shall have the like powers to act in the reference, as if his name had been inserted in the order of reference. (S. C. C. & R. C.)

508. The Court shall issue the same processes to the parties and witnesses whom the arbitrators or umpire may desire to examine, as the Court is authorized to issue in suits tried before it. Persons not attending in accordance with such process, or making any other default, or refusing to give their evidence, or being guilty of any contempt to the arbitrator or umpire during the investigation of the matters referred, shall be subject to the like disadvantages, penalties and punishments by order of the Court on the representation of the arbitrator or umpire, as they would incur for the like offences in suits tried before the Court. (S. C. C. & R. C.)

509. If the arbitrator shall not complete the award within the period specified in the order, from the want of the necessary evidence or information or from any other cause, the Court may grant a further time and may from time to time enlarge the period for the delivery of the award, if it shall think proper. (S. C. C. & R. C.)

510. When an umpire shall have been appointed, it shall be lawful for him to enter on the reference in the place of the arbitrators, if they shall have allowed their extended time to expire without making an award, or, when they shall have delivered to the Court or to the umpire a notice in writing, stating that they cannot agree or that they are equally divided. (S. C. C. & R. C.)

511. When an award in a suit shall have been made, the person or persons who made it shall sign and file it in Court together with any documents which may have been filed; and notice of the filing of the award shall be given to the parties. (S. C. C. & R. C.)

512. Upon any reference by an order of Court, and if it is not provided to the contrary, the arbitrator or umpire may state his award as to the whole or any part thereof in the form of a special case for the opinion of the Court. (S. C. C. & R. C.)

513. The Court may, on the application of either of the parties, modify or correct an award where it appears that a part of the award is upon a matter not referred to arbitration, provided such part can be separated from the other part and does not affect the decision on the matter referred, or where the award is imperfect in form or contains any obvious error which can be amended without affecting such decision. (S. C. C. & R. C.)

514. The Court may also, on the application of either of the parties or of the arbitrator or umpire, make order of such order as it thinks just respecting the costs of the arbitration, if any question arise respecting such costs and the award contain no sufficient provision concerning them. (S. C. C. & R. C.)

515. In any of the following cases the Court shall have power to remit the award or any matter referred to arbitration to the reconsideration of the same arbitrator or umpire, upon such terms as it may think proper; that is to say:—

- (1). If the award has left undetermined any of the matters referred to arbitration, or if it determine any matter not referred to arbitration.
- (2). If the award is so indefinite as to be incapable of execution.
- (3). If an objection to the legality of the award is apparent upon the face of it. (S. C. C. & R. C.)

516. No award shall be liable to be set aside except on the ground of corruption or misconduct of the arbitrator or umpire, or of either party having been guilty of fraudulent

concealment of any matter which he ought to have disclosed, or of wilfully misleading or deceiving the arbitrator or umpire, or of the award having been made after the issue of an order by the Court superseding the arbitration and recalling the suit, or of the award not having been made within the period or further period allowed by the Court: Provided that no award shall be set aside on the last mentioned ground, unless it be proved to the satisfaction of the Court that the delay in completing the award arose from the corruption or misconduct of the arbitrator or umpire. (S. C. C. & R. C.)

517. The application to set aside an award shall be made within fifteen days after notice of the filing of the award shall have been given to the parties as provided in Section 511, and shall be written on the stamp paper prescribed for petitions to the Court where a stamp is required for petitions. (S. C. C. & R. C.)

518. If the Court shall not see cause to remit the award or any of the matters referred to arbitration for reconsideration in manner aforesaid, and if no application shall have been made to set aside the award, or if the Court shall have refused such application, the Court shall proceed to give judgment according to the award or according to its own opinion on the special case if the award shall have been submitted to it in the form of a special case; and upon the judgment so given a decree shall follow and shall be enforced in the manner provided in this Code for the execution of decrees. (S. C. C. & R. C.)

519. When any persons shall by an instrument in writing agree that any difference between them or any of them shall be referred to the arbitration of any person named in the agreement or to be appointed by any Court having jurisdiction in the matter to which the agreement relates, application may be made by the parties thereto or any of them, that the agreement be filed in such Court.

520. The application shall be written on a stamp paper of one-fourth of the value prescribed for plaints in suits, and shall be numbered and registered as a suit between one or more of the parties interested or claiming to be interested as plaintiff or plaintiffs, and the others or other of them as defendants or defendant, if the application have been presented by all the parties, or, if otherwise, between the applicant as plaintiff and the other parties as defendants.

521. On such application being made, the Court shall direct notice thereof to be given to any of the parties to the agreement other than the applicants, requiring such parties to show cause, within the time specified in the notice, why the agreement should not be filed.

522. If no sufficient cause be shewn against the agreement, the agreement shall be filed and an order of reference to arbitration shall be made thereon.

523. The foregoing provisions of this Chapter, so far as they are not inconsistent with the terms of any agreement so filed, shall be applicable to all proceedings under an order of reference made by the Court under the last preceding Section, and to the award of arbitration and to the enforcement of the decree based thereupon.

524. When any matter has been referred to arbitration without the intervention of a Court of Justice and an award has been made, any person interested in the award may, within six months from the date of the award, apply to the Court having jurisdiction in the matter to which the award relates, that the award be filed in Court. The application shall be

Filing award in matter referred to arbitration without intervention of Court.

Application to be stamped, numbered and registered.

Notice to parties to arbitration.

525. If no sufficient cause be shown against the award, the award shall be filed and may be enforced as a decree upon an award made under the provisions of this Chapter.

CHAPTER VIII.

OF PROCEEDINGS ON AGREEMENT OF PARTIES.

526. Parties claiming to be interested in the decision of any question of fact or law, may enter into an agreement which shall be subject to the same stamp duty as prescribed for plaints in suits, that such question be stated in the form of a special case for the opinion of the Court; or that upon the finding of the Court in the affirmative or negative of such question a sum of money fixed by the parties or to be determined by the Court, shall be paid by one of the parties to the other of them; or that some property, movable or immovable, specified in the agreement, shall be delivered by one of the parties to the other of them; or that one or more of the parties shall do or perform or refrain from doing or performing some particular act specified in the agreement. (S. C. C.)

527. If the agreement is for the delivery of any property or for the doing or performing or the refraining from doing or performing any

particular act, the estimated value of the property to be delivered, or to which the act specified may have reference, shall be stated in the agreement. (S. C. C.)

528. The agreement may be filed in any Court having jurisdiction in the matter to which it relates, and, when so filed, shall be numbered and registered as a suit between one or more of the parties interested or claiming to be interested as plaintiff or plaintiffs, and the other or others of them as defendant or defendants; and notice shall be given to all the parties to the agreement other than the party or parties by whom it was presented. (S. C. C.)

529. After the agreement shall have been filed, the parties to it shall be subject to the jurisdiction of the Court, and shall be bound by the statements contained therein. (S. C. C.)

530. The case shall be set down for hearing as a suit instituted under Chapter IV, the provisions of which shall apply to such suit so far as the same are applicable. If the Court shall be satisfied, after an examination of the parties or taking such evidence as it may deem proper, that the agreement was duly executed by them and that they have a *bona fide* interest in the question of fact or law stated therein, and that the same is fit to be tried or decided, it shall proceed to record and try or hear the same and deliver judgment thereon, and upon the judgment so given a decree shall follow, and shall be enforced in the manner provided in this Code for the execution of decrees. (S. C. C.)

CHAPTER IX.

OF REGULAR APPEALS.

531. Unless when otherwise expressly provided in this Code or by any other law, a regular appeal shall lie from all decrees, except when expressly prohibited. Regular appeal to lie from all decrees, except when expressly prohibited. part of the decrees, including the costs, of the Courts exercising original jurisdiction to the Courts authorized to hear appeals from the decisions of those Courts. Provided that no appeal shall be admitted in respect of costs alone, unless upon the face of the decree or order of the Court below it shall appear that in granting or refusing the costs the Court proceeded upon a mistake or misapprehension. A regular appeal shall also lie from orders rejecting or returning plaints under Section 58 Clause 4 or 5, or Section 59 Clause 4, or Section 60 Clause 1, or from a decree made in conformity with an award under Section 518. No appeal shall lie from a decision or order passed in any suit under the fifteenth Section of Act XIV of 1859 (to provide for the limitation of suits).

532. If the appeal lie to the High Court, it shall be heard and determined by a Court consisting of two or more Judges of that Court.

533. When the appeal is heard by two Judges, if there is a difference of opinion upon the evidence, and one Judge concurs as to the facts with the Court which passed the decree appealed against, the appeal shall be determined according to the opinion of such Judge. If the two Judges differ in opinion upon a point of law, they shall state the point and the case shall be re-argued upon that point before the same two Judges if practicable, and one or more of the other Judges, and shall be determined according to the opinion of the majority of the Judges before whom the point is argued, including the Judges who first heard the appeal.

534. When the appeal is heard by more Judges than two, the decision shall be according to the opinion of the majority. If the number of Judges who hear the appeal be even, and the opinions of the Judges be equally divided, the decision shall be according to the opinion of the Judge or Judges with whom the Senior Judge concurs.

535. If the appeal lie to a Court which consists of a single Judge, the appeal shall be heard and determined by such Judge.

HOW REGULAR APPEALS ARE TO BE PREFERRED.

536. The appeal shall be made in the form of a memorandum which shall be presented in the Appellate Court within the period hereinafter specified, unless the appellant show cause to the satisfaction of the Appellate Court for not having presented the appeal within such limited period; that is to say, within thirty days if the appeal be to a District Court, or to the High Court from a decree passed in a suit by that Court in the exercise of its ordinary original Civil jurisdiction, and within ninety days if the appeal be to the High Court in any other suit. The days shall be reckoned from and exclusive of the date of the decree against which the appeal is made, and also exclusive of such time as may be requisite for obtaining copies of the decree and judgment.

537. The memorandum of appeal shall set forth concisely and under distinct heads, the grounds of objection to the decree appealed against, without any argument or narrative, and such grounds shall be numbered consecutively.

538. The appellant shall not, without the leave of the Court, urge or be heard in support of any other ground of objection, but the Court in deciding the appeal shall not be confined to the grounds set forth by the appellant, and shall of its own motion take cognizance of defences founded on lapse of time, breach of the stamp laws, or want of jurisdiction, though such defences have not been made either in appeal or in the Court of first instance.

539. The memorandum of appeal shall be in the following form, or to the following effect, and shall be accompanied by a copy of the decree appealed against:—

Memorandum of Appeal.

(Name, &c., as in Register.) Plaintiff—Appellant.

(Name, &c., as in Register.) Defendant—Respondent.

[Name of Appellant] Plaintiff [or Defendant] above-named appeals to the High Court at [or District Court at] as the case may be], against the decree of [] in the above suit, dated the [] day of [], for the following reasons, namely [here state the grounds of objection.]

540. If the appeal be to the High Court, but not from a decree made by that Court in the exercise of its ordinary or extraordinary original Civil jurisdiction, the memorandum of appeal, instead of stating the grounds of objection to the decree appealed against, may state only the dissatisfaction of the party preferring the appeal with the decree and his intention to file his grounds of objection subsequently. In such case the grounds of objection shall be filed within one month from the date of the receipt in the High Court of the record of the suit in which the appeal is made, to be certified by an Officer of the High Court at the time of the receipt of the record, or within such shorter period as the High Court shall appoint by a general rule published in the Official Gazette.

In such case grounds of objection to be subsequently filed. be filed within one month from the date of the receipt in the High Court of the record of the suit in which the appeal is made, to be certified by an Officer of the High Court at the time of the receipt of the record, or within such shorter period as the High Court shall appoint by a general rule published in the Official Gazette.

541. The High Court may, for sufficient reason, extend the time allowed in the last preceding Section for filing the grounds of objection.

542. The grounds of objection, when filed separately from the memorandum of appeal, shall be written on a stamp paper of the value of four Rupees. If the grounds of objection cannot be contained in a single sheet of stamp paper, every additional sheet used shall bear a stamp of one Rupee.

543. The provisions of Sections 537, 538 and 539 shall be applicable to the grounds of objection when filed separately from the memorandum of appeal.

544. If the memorandum of appeal be not presented within the prescribed period and no sufficient cause be shown for the delay, the appeal shall be disallowed.

Effect of memorandum not being presented in time.

545. If the grounds of objection, when allowed to be filed separately, be not filed within the prescribed period or within the further time to which such period may have been extended by the Court, the appeal shall be struck off the file.

Effect of grounds of objection not being filed in time.

546. If the memorandum of appeal or the grounds of objection be not drawn up in the manner hereinbefore prescribed, or do not bear the proper stamp, such memorandum or grounds may be rejected or returned to the appellant, for the purpose of being amended within a time to be fixed by the Court.

Rejection of memorandum or grounds of objection for informality or want of proper stamp.

547. If there be more plaintiffs or more defendants than one in a suit, and the decree appealed against proceed on any ground common to all the plaintiffs or to all the defendants, any one of the plaintiffs or of the defendants may appeal against the whole decree, and the Appellate Court may reverse or modify the decree in favour of all the plaintiffs or defendants as the case may be.

One of several plaintiffs or defendants may obtain a reversal of the whole decree if it proceed on a ground common to all.

548. If it appear to the Court at the hearing of an appeal, that any person who was a party to the suit in the Court against whose decree the appeal is made, and who has not been made a party to the appeal, may be affected by the result of the appeal, the Court may adjourn the hearing of the appeal to a future day to be fixed by the Court, and direct that such person shall be made a respondent in the appeal. In such case the Court shall issue a notice to such person in the manner hereinafter provided for the service of a notice on a respondent to appear and answer the appeal.

Court may adjourn hearing and direct that persons appearing to be interested shall be made parties.

OF STAYING AND EXECUTING DECREES UNDER APPEAL.

549. Execution of a decree shall not be stayed by reason only of an appeal having been preferred against the decree; but the Appellate Court may, for sufficient cause shown, order the execution to be stayed.

Execution of decree not to be stayed solely by reason of appeal, but on sufficient cause shown.

550. If an application be made for the execution of a decree which is open to appeal, before the time allowed for appeal has expired, and the Court which passed the decree has not received intimation of an appeal having been preferred therefrom, the Court may, if sufficient cause be shown, stay the execution. Before making an order to stay execution, the Court shall require security to be given by the party against whom the decree was passed for the due performance of the decree or costs of the Appellate Court.

Security required before making order to stay execution.

551. If an order is made for the execution of a decree against which an appeal has been preferred, the Court which passed the decree may require security to be given for the restitution of any property which shall be taken in execution of the decree or of the value of such property and for the due performance of the decree or order of the Appellate Court, or the Appellate Court may direct the Court which passed the decree to take such security.

Security in case of order for execution of a decree appealed against.

552. The Appellate Court may direct that execution of a decree against which an appeal has been preferred, shall be stayed on such terms as it may think proper.

But Court may stay execution on such terms as it may think proper.

553. No such security as is mentioned in the last three preceding Sections shall be required from the Government or from an Officer of the Government as such Officer.

No such security to be required from Government or public Officers.

OF PROCEDURE IN APPEAL FROM DECREES.

554. When a memorandum of appeal is presented within the time allowed, the Appellate Court or the proper Officer of that Court, if the memorandum be duly stamped and in the prescribed form, shall endorse thereon the date of presentment, and shall register the appeal in a book to be kept for the purpose. Such book shall be called the Register of Appeals and shall be in the form contained in the Schedule E hereunto annexed.

Registry of memorandum of appeal.

555. The Appellate Court may, at its discretion, demand security for costs from the appellant before the respondent is called upon to appear and answer: Provided that the Court shall demand such security in all cases in which the appellant is residing out of British India, and is not possessed of any sufficient immovable property within British India independent of the property to which the appeal relates. If such security be not furnished at the time of presenting the memorandum of appeal or within such time as the Court shall order, the Court shall reject the appeal.

Appellate Court may require appellant to give security for costs.

556. When the memorandum of appeal has been registered or when the grounds of objection are filed, the Appellate Court shall send notice of the appeal to the Court against whose decree the appeal is made. If the appeal be from a Court the records of which are not deposited in the Appellate Court, the Court to which such notice is sent shall, upon the receipt thereof, transmit with all practicable despatch all material papers in the suit, or such papers as may be specially called for by the Appellate Court.

When appellant resides out of British India.

Appellate Court to give notice to Court whose decree is appealed against.

Transmission of papers to Appellate Court.

557. Either party may make an application in writing to the Court against whose decree the appeal is made, specifying any papers of which he requires copies to be made and deposited in such Court, and copies of such papers shall be prepared at the expense of the applicant, and shall be deposited accordingly.

Either party may have copies of exhibits made and deposited in Court whose decree is appealed against.

558. A day shall be fixed by the Appellate Court for the hearing of the appeal. The day shall be so fixed, with reference to the place of residence of the respondent and the time necessary for the service of the notice of appeal, as to allow the respondent a sufficient time to enable him to appear and answer the appeal on such day.

Day for hearing appeal.

559. Notice of the day which has been fixed for hearing the appeal shall be affixed in the Appellate Court, and a like notice shall be sent by the Appellate Court to the Court against whose decree the appeal is made, and shall be served on the respondent in the manner provided in Chapter IV for the service of a summons to a defendant to appear and answer, and all rules applicable to such summons and to proceedings with reference to the service thereof, shall apply to the service of such notice. The Appellate Court may itself cause the notice to be served on the respondent under the rules above-mentioned, instead of sending the notice to the Court against whose decree the appeal is made, whenever it shall appear convenient to do so.

Publication and service of notice of the day fixed for hearing appeal.

Appellate Court may itself cause notice to be served.

560. The notice to the respondent shall declare that, if he does not appear in the Appellate Court on the day so fixed for the hearing of the appeal, the appeal will be heard *ex-parte*. Provided that, if the respondent has appointed an Advocate to appear in his behalf in the Appellate Court, the service of the notice on such Advocate shall be sufficient.

Contents of notice.

Service of notice on Advocate.

561. If on the day fixed for hearing the appeal or any other day subsequent thereto to which the hearing of the appeal may be adjourned, the appellant shall not attend, the appeal shall be dismissed for default. If the appellant shall attend and the respondent shall not attend, the appeal shall be heard *ex-parte* in his absence.

Dismissal of appeal for appellant's default.

Hearing appeal *ex parte*.

562. If on the day fixed for hearing the appeal it shall be found that the notice to the respondent has not been served in consequence of the failure of the appellant to deposit, within the time allowed, the sum required to defray the cost of issuing the notice, the Court may order that the

Dismissal of appeal where notice has not been served in consequence of appellant's failure to deposit cost of notice.

appeal be dismissed : Provided that no such order shall be passed, although the notice shall not have been served upon the respondent, if on the day fixed for hearing the appeal the respondent shall appear in person or by an Advocate, or by a duly authorized agent.

Proviso.

563. If an appeal be dismissed for default the appellant may, within thirty days from the date of the dismissal, apply to the Appellate Court for the re-admission of the appeal; and if it shall be proved to the satisfaction of the Court that the appellant was prevented by any sufficient cause from attending when the appeal was called on for hearing, the Court may re-admit the appeal on such terms as to costs or otherwise as to the Court may seem just.

Re-admission of appeal dismissed for default.

564. The respondent, though he may not have appealed against any part of the decree, may, upon the hearing, take any objection to the decree, provided he shall give seven days' notice in writing of such objection. Such writing shall be in the form of a memorandum, and shall be on the stamp paper prescribed for petitions to the Court, and the provisions of Sections 537, 538 and 539, so far as they relate to the form and contents of the memorandum of appeal, shall be applicable to such memorandum.

Upon the hearing, respondent may object to decree as if he had preferred a separate appeal.

Previous notice in writing of objections.

565. The Appellate Court, after hearing the parties or their Advocates and referring to any part of the proceedings, whether held in appeal or in the Court against whose decree the appeal is made, to which a reference may be considered necessary, shall pronounce judgment in open Court, either at once or on some future day, of which notice shall be given to the parties or their Advocates.

Judgment when and where to be pronounced.

566. The judgment shall be written in the English language; but if English shall not be the vernacular language of the Judge, and the Judge shall not be able to write an intelligible judgment in English, the judgment shall be written in the vernacular language of the Judge.

In what language to be written.

567. When the language in which the judgment is written is not the language in ordinary use in proceedings before the Court, the judgment shall, if any party so require, be translated into such language, and the translation shall be signed by the Judge or Judges.

When to be translated.

568. The judgment of the Appellate Court shall contain the points for determination, the decision thereupon, and the reasons for the decision; and shall be signed by the Judge or by the Judges concurring therein.

Contents of judgment.

569. When the appeal is heard by more Judges than one, any Judge dissenting from the judgment of the Court shall state in writing the decision or order which he thinks should be passed on the appeal, and he may state his reasons for the same.

570. The judgment may be for confirming or reversing or modifying the decree of the Court against which the appeal is made, or, if the parties to the appeal agree as to the form which the decree in appeal shall take, or as to the order which shall be passed in appeal, the Appellate Court may pass a decree or order accordingly: Provided that no portion of the stamp duty paid on the memorandum of appeal shall be refunded by reason of an adjustment or compromise between the parties to the appeal.

571. No decree shall be reversed or modified, nor shall any case be remanded in appeal, on account of any error, defect or irregularity, whether in the decision or in any order passed in the suit, or otherwise, not affecting the merits of the case or the jurisdiction of the Court.

572. If the Court against whose decree the appeal is made shall, without going into the merits, dispose of the suit upon any preliminary point so as to exclude any evidence of fact which shall appear to the Appellate Court essential to the rights of the parties, and the decree upon such preliminary point shall be reversed in appeal, the Appellate Court may, if it think right, remand the case, together with a copy of the decree or order in appeal to the Court against whose decree the appeal is made, with directions to re-admit the suit under its original number in the Register, and to proceed to investigate the suit on its merits, and pass a decree thereon.

573. It shall not be competent to the Appellate Court to remand a case for a second decision, except as provided in the last preceding Section.

574. When the evidence upon the record is sufficient to enable the Appellate Court to pronounce judgment, the Appellate Court shall finally determine the case notwithstanding that the judgment of the Court against whose decree the appeal is made has proceeded wholly upon some ground other than that on which the Appellate Court proceeds.

575. If the Court against whose decree the appeal is made shall have omitted to raise or try any issue or to determine any question of fact which shall appear to the Appellate Court essential to the right determination of the suit upon the merits, and the evidence

upon the record is not sufficient to enable the Appellate Court to determine such issue or question of fact, the Appellate Court may frame issues for trial, and may refer the same for trial to the Court against whose decree the appeal is made, and such Court shall proceed to try such issue, and shall return to the Appellate Court its finding thereon together with the evidence.

576. Such finding and evidence shall become part of the record in the suit; and either party may, within a time to be fixed by the Appellate Court, file a memorandum of objections to the finding. Such memorandum shall be on the stamp paper prescribed for petitions to the Court, and shall set forth concisely and under distinct heads and without argument or narrative the grounds of objection to the finding, which grounds shall be numbered consecutively. After the expiration of the period fixed for filing such memorandum, the Appellate Court shall proceed to determine the appeal.

577. The parties to an appeal shall not produce additional evidence, whether oral or documentary, in the Appellate Court; but if it appear that the Court against whose decree the appeal is made refused to admit evidence which ought to have been admitted, or if the Appellate Court require any document to be produced or any witness to be examined to enable it to pronounce judgment or for any other substantial cause, the Appellate Court may allow such document to be received or such witness to be examined, whether such document or witness shall or shall not have been previously produced or examined: Provided that, whenever additional evidence is admitted by an Appellate Court, the reason for the admission shall be recorded on the proceedings of the Court.

578. Whenever additional evidence is permitted to be received, it shall be competent to the Appellate Court to take such evidence, or the Appellate Court may require the Court against whose decree the appeal is made or any other Court, or may empower any person, to take such evidence, and to transmit the evidence so taken to the Appellate Court. It shall also be competent to the Appellate Court to prescribe the manner in which such additional evidence shall be taken.

579. In all cases where additional evidence is permitted to be taken, the Appellate Court shall define the points to which the evidence is to be confined, and record the same on its proceedings.

580. The decree of the Appellate Court shall bear date the day on which the judgment was pronounced. The decree shall contain the number of the appeal, and the memorandum of appeal, including the names and description of the appellant and respondent, and shall specify

on such regular appeal, that the opinion given by the District Court on the question of the law of the religion or established custom referred to such Court is erroneous or that the District Court had wrongly interpreted such law or custom.

Special appeal only on grounds mentioned in Sections 593 and 594.

595. No special appeal shall lie except on the grounds mentioned in the two last preceding Sections.

596. No special appeal shall lie from any decree or order which shall be passed on regular appeal by any subordinate Court in any suit of the nature cognizable in Courts of Small Causes when the debt, damage, or demand for which the original suit shall be instituted, shall not exceed the sum of five hundred Rupees. Every such decree or order shall be final.

597. A special appeal shall be presented in By whom and when a special appeal is to be presented. the High Court by an Advocate of the High Court within the period of sixty days, unless the applicant shew cause to the satisfaction of the High Court for not having presented it within such period. The period shall be reckoned from and exclusive of the day on which judgment was pronounced, and also exclusive of such time as may be requisite for obtaining copies of the decree and judgment appealed against.

598. The memorandum of appeal shall be Contents of memorandum of appeal. written on a stamp paper of the value prescribed for regular appeals, and shall set forth concisely the grounds of objection to the decree appealed against without argument or narrative. Such grounds shall be numbered consecutively.

599. The memorandum of appeal shall be Copies of judgments and decrees to accompany memorandum. accompanied by copies of the judgments and decrees of the Lower Appellate Court and of the Court of first instance.

600. The memorandum shall be signed by Advocate presenting it to certify that grounds stated are good for special appeal. the Advocate who presents it, and such Advocate shall certify in writing on the back of the memorandum that he has considered the grounds stated for a special appeal, and that in his opinion such of the grounds as he shall refer to by their numbers are well founded and sufficient. No Vakeel shall give such certificate unless he shall have been authorized in that behalf by the High Court.

601. The appellant shall not without the leave of the Court, be heard in support of any ground of objection other than the grounds set forth in the memorandum. Appellants confined to grounds stated.

602. If the memorandum of special appeal be not written on a stamp paper of the prescribed value, or if it be not drawn up and presented in the manner herein before prescribed, or if it be not signed or have not such certificate duly endorsed upon it as in Section 600 mentioned, or if it do not state any ground on which a special appeal will lie under the provisions of Section 593 or Section 594, the Court may reject the memorandum or may return it to the party for the purpose of being amended within a time to be fixed by the Court. The order for rejecting the memorandum or for returning it to the party may be passed by a single Judge of the Court. Informal memorandum of special appeal.

603. If the memorandum is in due form, it shall be registered in a book Registry of application. to be kept for the purpose, which shall be in the form contained in the Schedule F hereunto annexed, and the case shall proceed in all other respects as a regular appeal, and shall be subject to all the rules provided in Chapter IX for regular appeals, so far as the same are applicable.

604. No application for a special appeal shall be filed or argued before the High Court except by an Advocate of the Court who shall have signed the certificate required by Section 600. Application to be argued only by Advocate signing it.

605. The decrees passed in special appeal shall be executed by the Court Execution of decrees in special appeal. which made the decree in the suit in which the special appeal was preferred, in the manner and under the rules provided in Chapter V for the execution of decrees in suits.

606. The High Court may call for the record of any case decided by a Court of Small Causes, or on appeal, by any subordinate Court, in which no appeal shall lie to the High Court, if such Court of Small Causes or such subordinate Court on hearing the appeal shall appear to have exercised a jurisdiction not vested in it by law, or to have passed any order contrary to law. Power to call for record of cases decided by Small Cause Courts, or on appeal, by subordinate Courts.

CHAPTER XI.

OF REGULAR AND SPECIAL APPEALS IN FORMA PAUPERIS.

607. Any person entitled under this Code or any other law to prefer a regular or special appeal, who may be unable to pay Who may appeal as pauper.

the stamp duty required for the petition of appeal may on application be allowed to appeal *in formâ pauperis*, subject to the rules contained in Chapters IX or X, according as the application may be for the admission of a regular or special appeal, in so far as those rules are applicable.

608. An application made under the last preceding Section to be allowed to appeal *in formâ pauperis* shall be written on a stamp paper of the value of one Rupee if the appeal lie to the District Court, and on a stamp paper of the value of two Rupees if the appeal lie to the High Court, and shall be presented in the Appellate Court within the period allowed for the presentation of a memorandum of regular appeal or of special appeal as the case may be.

609. The application shall contain the particulars required by this Code to be set forth in a memorandum of regular appeal or special appeal, as the case may be, and shall be drawn up in the like manner.

610. The application shall have annexed to it a Schedule of any movable or immovable property belonging to the applicant, with the estimated value thereof, and shall also be accompanied by copies of the judgment and decree from which the appeal is made; and, if the application be for the admission of a special appeal, of the judgment and decree of the Court of first instance.

611. If the application be for the admission of a regular appeal, and the Court, upon a perusal of the application and of the judgment and decree against which the appeal is made, shall see no reason to think that the decree appealed against is contrary to law or to some usage having the force of law, or is otherwise erroneous or unjust, or if the application be for the admission of a special appeal and the judgment and decree against which the appeal is made shall not appear to the Court, upon a perusal of the same and of the application, to be open to objection on any ground upon which a special appeal is admissible under Chapter X, the Court shall reject the application. The Court may also reject the application if it be not drawn up in the mode prescribed by this Chapter or if it do not bear the proper stamp: or the Court may return the application to the party presenting the same for the purpose of being amended within a time to be fixed by the Court. If the application lie to the High Court, the order rejecting it may be passed by a single Judge of the Court.

612. If the application be not rejected upon any of the grounds above mentioned, enquiry shall be made into the pauperism to be made in what cases and by what Court. Such enquiry may be conducted either by the Appellate Court or by the Court against whose decision the appeal is made under the orders of the

Appellate Court: Provided that, if the applicant was allowed to sue or appeal *in formâ pauperis* in the Court against whose decree the appeal is made, no further enquiry in respect of his pauperism shall be necessary, unless the Appellate Court shall see special cause to direct such enquiry.

613. The order passed by the Appellate Court on an application to be allowed to appeal *in formâ pauperis*, whether for the admission or rejection of the application, shall be final; but, if the application be rejected, the Appellate Court may, if it think proper, allow the applicant a reasonable time for preferring a regular appeal or an application for a special appeal, on a stamp of the value prescribed for petitions of regular appeals from decrees, or for applications for a special appeal as the case may be.

CHAPTER XII.

OF APPEALS FROM ORDERS.

614. An appeal shall lie from the following orders:—

- (1.) From orders rejecting or returning plaints under Section 58, 59 or 60, with exception of orders passed under Clause 4 or Clause 5 of Section 58, Clause 4 of Section 59 and Clause 1 of Section 60 :
- (2.) From orders passed against the defendant under Section 115, 116, 118, 120, 124, 135, 139 or 140 :
- (3.) From orders rejecting applications made under Section 172 or 173 in cases open to appeal :
- (4.) From orders passed under Section 235 256 or 259 for the sale of property attached :
- (5.) From orders passed under Section 332 :
- (6.) From orders passed under Section 416 for setting aside, or under Section 417 for confirming, a sale :
- (7.) From orders passed under Section 431 and under Section 432, that the applicant shall be satisfied out of the proceeds of attached property :
- (8.) From orders passed under Section 435 in cases in which a regular appeal is allowed from the decree in the execution of which the order was passed :
- (9.) From orders passed under Section 447 that the defendant be discharged from Jail :
- (10.) From orders passed under Section 477 for issuing, or refusing to issue, execution on a bond.

615. An appeal shall lie from orders passed under the provisions of this Code, imposing fines or as to the levying of the fines so imposed, or for the imprisonment of any person except when such imprisonment is in execution of a decree.

616. When an appeal from an order is allowed by this Code or by any other law, it shall be heard by the Court competent to hear regular appeals from decrees of the Court which passed the order.

617. The period for presenting the appeal and the procedure thereon shall in all respects be the same as in a regular appeal from a decree in a suit, as prescribed in Chapter IX, the provisions of which shall apply to appeals from orders under this Chapter so far as they are applicable.

618. Unless when otherwise provided in this Code, no appeal shall lie from any order passed in the course of a suit and relating thereto, prior to decree; but if the decree be appealed against, any error, defect or irregularity in any such order, affecting the merits of the case or the jurisdiction of the Court, may be set forth as a ground of objection in the memorandum of appeal.

619. Unless when otherwise provided in this Code, no appeal shall lie from any order passed after decree and relating to the execution thereof.

620. Unless when otherwise provided in this Code or by any other law, the orders passed in appeals preferred under this Chapter shall be final; but if in the course of the hearing of any such appeal any question of law or usage having the force of law, or the construction of a document, which construction shall affect the merits of the decision, shall arise, on which the Appellate Court shall entertain reasonable doubt, the Court may either of its own motion or on the application of any of the parties to the appeal, draw up a statement of the case, and submit it with its own opinion for the decision of the High Court.

621. The provisions contained in Sections 587 to 592, both inclusive, shall apply to references made to the High Court under the provisions of the last preceding Section.

622. Except as provided in this Code or in any other law, no appeal shall be allowed from any decree or order.

CHAPTER XIII.

REVIEW OF JUDGMENT.

623. Any person considering himself aggrieved—
Review of Judgment.

(a.) By a decree from which a regular appeal is allowed, but from which no appeal shall have been preferred—

(b.) By a decree passed in regular appeal from which a special appeal is allowed, but from which a special appeal shall not have been admitted—

(c.) By a decree from which an appeal is allowed to Her Majesty in Council, but from which no appeal shall have been preferred, or, if an appeal shall have been preferred, no proceedings shall have been transmitted to Her Majesty in Council—

(d.) By a decree passed in special appeal from which no appeal to Her Majesty in Council is allowed—

And who, from the discovery of new matter or evidence which was not within his knowledge or could not be adduced by him at the time when the decree was passed, or for any other good and sufficient reason, may be desirous of obtaining a review of the decree passed against him—may apply for a review of judgment to the Court which passed the decree.

624. The application, if the decree to which it refers was passed in a suit, shall be made within one month from the date of the decree, and within sixty days if the decree was passed in regular or special appeal, unless the party making the application shall be able to shew cause, to the satisfaction of the Court, for not having preferred the application within such limited period.

625. The application shall be written on the stamp paper prescribed for plaints, and shall set forth concisely and under distinct heads the grounds on which the review is applied for. Such grounds shall be numbered consecutively.

626. If the application be presented by an Advocate, he shall certify under his signature on the back of the application, that he has examined the grounds on which the review is applied for, and that he considers such of them as he shall refer to by their numbers well founded and sufficient.

627. No Advocate shall be allowed to argue in support of an application for a review of Judgment, who shall not have signed the certificate required by the last preceding Section, or if the application was presented by the applicant in person or by another Advocate, who has not signed a certificate to the same effect to be written on the back of the application.

628. If it appear to the Court that there is not sufficient ground for a review, it shall reject the application, but if the Court shall be of opinion that the review desired is necessary to correct an evident error or omission, or is otherwise requisite for the ends of

639. If in a suit instituted in a High Court in the exercise of its ordinary original Civil jurisdiction, or in appeal from a decision passed by a High Court in the exercise of such jurisdiction, the claim is not capable of being estimated at the selling price

In certain cases
plaint to bear stamp
of 32 Rupees ; and
Court after decree
to determine how
much more is to be
paid.

under Rule (e) of Article 11 of Schedule B of the said Act X of 1862, the plaint or petition of appeal shall be written on a stamp of the value of thirty-two Rupees. On the decision of such suit or appeal, if the decision be in favour of the plaintiff or appellant, the Court shall calculate the stamp duty payable, according to the rules above mentioned, on the amount or value of the property, if any, decreed or to which the right of the party in whose favour the decree is made is declared by the decree, whether immediately or contingently ; and if such amount or value exceed the sum of five hundred Rupees, the Court shall declare what additional stamp duty shall be paid, so that the total amount paid may be the same as would have been payable had the suit or appeal been originally instituted for the amount or value so estimated by the Court. The additional stamp duty ordered to be paid shall be costs in the suit, and shall be paid out of any money recovered on account of such costs, whether at the instance of the Government or of any of the parties, before any other costs in the suit are paid to any of the said parties.

640. The High Court and the Division Courts and Judges of the High Court shall take evidence, record their judgments, and the orders passed by them in such manner as the High Court shall by any rule from time to time direct.

High Court to
record its judgments
and orders as it
shall by rule direct.

641. If a Division Court is composed of more Judges than one, and the Judges are divided in opinion as to the decision to be given on any point, such point shall be decided according to the opinion of the majority of the Judges if there shall be a majority, but if the Judges shall be equally divided then the opinion of the senior Judge shall prevail.

Decision when
Judges of Division
Court differ.

642. Whenever a High Court or any Division Court or Judge of a High Court may consider it necessary that a decree made in the exercise of the ordinary original Civil jurisdiction of the said Court should be enforced before the amount of the costs incurred in the suit can be ascertained by taxation, the Court or Judge may order that the decree shall be executed forthwith except as to so much thereof as relates to the costs ; and, as to so much thereof as relates to the costs, that the decree may be executed as soon as the amount of the costs shall be ascertained by taxation.

Execution may
issue in certain cases
before the amount
due for costs has
been ascertained,
and execution for
costs may issue sub-
sequently when
their amount is as-
certained.

643. Whenever in any suit or proceeding coming before a High Court in the exercise of its ordinary original Civil jurisdiction, or in any appeal coming before a High Court from a decision passed by such Court in the exercise of its ordinary original Civil jurisdiction anything is directed by this Code to be done by or through an Advocate, such act may be done by or through an Attorney-at-Law of the Court ; provided that no Attorney shall under the provisions of this Section plead in a High Court or in any Division Court or before a Judge of a High Court for any person.

Acts required to
be done by Advo-
cate may be done by
an Attorney.

Proviso.

644. Notices to produce documents, summonses to witnesses, and every other judicial process, issued in the exercise of the ordinary original Civil jurisdiction of the High Court, except writs of summons to defendants issued under Section 72 and writs of execution, may be served by the Attorneys in the suit or by persons employed by them, or in such other manner as the High Court shall by any rule or order from time to time direct.

Process of High
Courts may be
served by Attor-
neys in suit.

645. If, in any suit instituted in the High Court in the exercise of its ordinary original Civil jurisdiction, the Division Court or Judge hearing such suit shall be of opinion that any matter of account, detail or other description may be more conveniently investigated by a Judge sitting in Chambers or by an Officer of the Court, it shall be lawful for such Court or Judge to refer such matter for the consideration of a Judge in Chambers or the Registrar or some other Officer, and such matter shall thereupon be investigated by such Judge or Registrar or other Officer, who shall proceed with such investigation and shall make his report thereon. Such report shall, if made by a Judge, be open to revision by any Court of Appeal to which the order or decree founded thereon may be appealable, and if made by the Registrar or other Officer shall be open to revision by the Judge by whom the matter was so referred, or by such other Judge as the Chief Justice shall appoint in that behalf. The Chief Justice shall from time to time determine in each case what Judge shall take or proceed with the investigation of any matter referred to a Judge under the provisions of this Section.

Power of Divi-
sion Court or Judge
of High Court to
refer matters for
investigation by a
single Judge.

646. The High Court shall have power to make general rules and orders for regulating the conduct of business and the procedure of a single Judge, Registrar or other Officer in respect of investigations under the last preceding Section : Provided that such rules and orders shall not be inconsistent with the provisions of this Code or of any other law.

Power to make
rules.

639. If in a suit instituted in a High Court

In certain cases
plaint to bear stamp
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in the exercise of its ordinary original Civil jurisdiction, or in appeal from a decision passed by a High Court in the exercise of such jurisdiction, the claim is not capable of being estimated at the selling price under Rule (e) of Article 11 of Schedule B of the said Act X of 1862, the plaint or petition of appeal shall be written on a stamp of the value of thirty-two Rupees. On the decision of such suit or appeal, if the decision be in favour of the plaintiff or appellant, the Court shall calculate the stamp duty payable, according to the rules above mentioned, on the amount or value of the property, if any, decreed or to which the right of the party in whose favour the decree is made is declared by the decree, whether immediately or contingently ; and if such amount or value exceed the sum of five hundred Rupees, the Court shall declare what additional stamp duty shall be paid, so that the total amount paid may be the same as would have been payable had the suit or appeal been originally instituted for the amount or value so estimated by the Court. The additional stamp duty ordered to be paid shall be costs in the suit, and shall be paid out of any money recovered on account of such costs, whether at the instance of the Government or of any of the parties, before any other costs in the suit are paid to any of the said parties.

640. The High Court and the Division

High Court to
record its judgments
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Courts and Judges of the High Court shall take evidence, record their judgments, and the orders passed by them in such manner as the High Court shall by any rule from time to time direct.

641. If a Division Court is composed of

Decision when
Judges of Division
Court differ.

more Judges than one, and the Judges are divided in opinion as to the decision to be given on any point, such point shall be decided according to the opinion of the majority of the Judges if there shall be a majority, but if the Judges shall be equally divided then the opinion of the senior Judge shall prevail.

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643. Whenever in any suit or proceeding

Acts required to
be done by Advoca-
cate may be done by
an Attorney.

coming before a High Court in the exercise of its ordinary original Civil jurisdiction, or in any appeal coming before a High Court from a decision passed by such Court in the exercise of its ordinary original Civil jurisdiction anything is directed by this Code to be done by or through an Advocate, such act may be done by or through an Attorney-at-Law of the Court ; provided that no Attorney shall under the provisions of this Section plead in a High Court or in any Division Court or before a Judge of a High Court for any person.

Proviso.

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monses to witnesses, and every other judicial process, issued in the exercise of the ordinary original Civil jurisdiction of the High Court, except writs of summons to defendants issued under Section 72 and writs of execution, may be served by the Attorneys in the suit or by persons employed by them, or in such other manner as the High Court shall by any rule or order from time to time direct.

645. If, in any suit instituted in the High

Power of Divi-
sion Court or Judge
of High Court to
refer matters for
investigation by a
single Judge.

Court in the exercise of its ordinary original Civil jurisdiction, the Division Court or Judge hearing such suit shall be of opinion that any matter of account, detail or other description may be more conveniently investigated by a Judge sitting in Chambers or by an Officer of the Court, it shall be lawful for such Court or Judge to refer such matter for the consideration of a Judge in Chambers or the Registrar or some other Officer, and such matter shall thereupon be investigated by such Judge or Registrar or other Officer, who shall proceed with such investigation and shall make his report thereon. Such report shall, if made by a Judge, be open to revision by any Court of Appeal to which the order or decree founded thereon may be appealable, and if made by the Registrar or other Officer shall be open to revision by the Judge by whom the matter was so referred, or by such other Judge as the Chief Justice shall appoint in that behalf. The Chief Justice shall from time to time determine in each case what Judge shall take or proceed with the investigation of any matter referred to a Judge under the provisions of this Section.

646. The High Court shall have power to

Power to make
rules.

make general rules and orders for regulating the conduct of business and the procedure of a single Judge, Registrar or other Officer in respect of investigations under the last preceding Section : Provided that such rules and orders shall not be inconsistent with the provisions of this Code or of any other law.

647. Whenever under any of the provisions of this Code the signature of a Judge of the High Court may be required, the signature of the Registrar or of any other Officer authorized in that behalf by the Chief Justice shall have the same effect as the signature of a Judge of the Court.

Signature of Registrar or other appointed Officer to have same effect as that of Judge of High Court.

648. The Chief Justice of the High Court shall from time to time declare what language shall be the language of the Court, in which all or any of the proceedings of the Court shall be conducted.

Language of the High Court.

649. The provisions of this Code relating to Assessors shall without any order of Government extend to suits and appeals instituted or tried in the High Courts.

Provisions as to Assessors to apply to High Courts.

650. Nothing contained in the eighth Section shall debar the High Court or any Judge of the High Court from rescinding or modifying any interlocutory order passed by it or him in the course of a suit.

High Court or High Court Judge may rescind or modify interlocutory order.

651. Nothing in this Code shall be held to authorize a Vakeel to appear, plead or act in the High Court in the exercise of its original Civil jurisdiction.

Vakeels not to practise on the original side.

652. The following Sections shall not apply to the High Court in the exercise of its ordinary original Civil Jurisdiction, namely, Sections 27, 28, 29, 30 and 34.

Sections 27, 28, 29, 30 and 34 not to apply to High Court.

653. Any act not of a judicial nature which this Code requires to be done by a Judge, may be done by the Registrar of the Court or by such other Officer of the Court as the Court may direct to perform such act.

Non-judicial acts may be done by Registrar.

654. All summonses obtainable under this Act by the parties to a suit in the High Court, may be obtained from the proper Officer by the Attorneys of the parties respectively, and may be served by such Attorneys on the persons named therein, and all rules contained in this Code relating to the service of summonses shall apply to summonses obtained under this Section.

Summonses may be obtained from Registrar by Attorneys.

655. Nothing in this Chapter shall extend or apply to any High Court in the exercise of its jurisdiction as a Court of Admiralty or Vice-Admiralty, or as a Court of Testamentary and Intestate or of Matrimonial jurisdiction, or as an Insolvent Court.

Code not to affect High Court in exercise of Admiralty, Testamentary, Intestate, Matrimonial or Insolvent jurisdiction.

656. This Chapter shall extend and apply only to High Courts which are or may hereafter be established under the Statute 24 and 25 Victoria, Chapter 104 (*An Act for establishing High Courts of Judicature in India*).

This Chapter to apply only to High Courts established under 24 and 25 Vic., Chap. 104.

657. Except as provided in this Chapter, the provisions of this Code shall apply to the High Courts established as aforesaid.

Save as aforesaid the provisions of the Code to apply to High Courts.

CHAPTER XV.

OF CRIMINAL PROCEDURE FOR OFFENCES COMMITTED IN OR AGAINST THE COURTS.

658. When in a case pending before any Court, any person shall appear to the Court to have been guilty of an offence described in Section 193, 194, 195, 196, 199, 200, 205, 206, 207, 208, 209 or 210 of the Indian Penal Code, the Court may commit such person to take his trial for the offence before the Court of Session, or, after making such preliminary enquiry as may be necessary, may send the case for investigation to any Magistrate having jurisdiction to try or commit for trial the accused person for the offence charged, and such Magistrate shall thereupon proceed according to law. (S. C. C. & R. C.)

Procedure when certain offences under Chapter XI of Penal Code are committed in case pending before Court.

659. The Court may send the person accused in custody or take sufficient bail for his appearance before the Magistrate, and may bind over any person to appear and give evidence before the Magistrate. (S. C. C. & R. C.)

Court may take bail and bind over witnesses to give evidence.

660. When the commitment is made by the Court, the Court shall frame a charge in the manner provided in Chapter XIII of the Code of Criminal Procedure, and shall send the same with the order of commitment and the record of the case to the Magistrate, and such Magistrate shall bring the case together with the witnesses for the prosecution and defence before the Court of Session. (S. C. C. & R. C.)

Charge to be framed and sent to Magistrate.

661. When any person shall appear to the Court to have been guilty in any suit or proceeding before such Court of any of the offences described in Sections 172, 173 and 174 of the Indian Penal Code, the Court may direct the

Procedure in certain cases of contempt of lawful authority of public servants.

person accused to be brought before it, and may either proceed as provided in Section 671 of this Code, or may send him in custody to the Magistrate or take sufficient bail for his appearance before the Magistrate, and the Magistrate shall thereupon proceed according to law.

662. When in a case pending before any Court, there shall appear to the Court sufficient ground for sending for investigation to the Magistrate a charge of any such offence as is described in Section 463, 471, 475 or 476 of the Indian Penal Code, which may be preferred in respect to any document offered in evidence in the case, the Court may send the person accused in custody to the Magistrate or take sufficient bail for his appearance before the Magistrate. The Court shall send to the Magistrate the evidence and documents relevant to the charge, and shall bind over any person to appear and give evidence before such Magistrate. The Magistrate shall receive such charge and proceed with it according to law. (S. C. C. & R. C.)

663. If the person accused in any case falling under Section 658 or Section 662 of this Code, is a European British subject, the Court shall send such person in custody or take sufficient bail for his appearance before an Officer empowered to commit or hold to bail persons charged with offences for trial before a High Court of Judicature, and such Officer shall proceed according to law. (S. C. C. & R. C.)

664. When any such offence as is described in Section 175, 178, 179, 180 or 228 of the Indian Penal Code, is committed in the view or presence of the Court, the Court may cause the offender, whether he be a European British subject or not, to be detained in custody, and may, at any time before the rising of the Court on the same day, take cognizance of the offence, and adjudge the offender to punishment by fine not exceeding two hundred Rupees, and by imprisonment in the Civil Jail for a period not exceeding one month if such fine be not sooner paid. In every such case the Court shall record the facts constituting the contempt, with any statement the offender may make, as well as the finding and sentence. (S. C. C. & R. C.)

665. If the Court shall consider that a person accused of any of the offences mentioned in the last preceding Section should be imprisoned, or that a fine exceeding two hundred Rupees should be imposed upon him, such Court, after recording the facts constituting the contempt and the statement of the accused person as hereinbefore provided, shall forward the case to a Magistrate, or, if the accused person be a European British subject, to a Justice of the

Peace, and shall cause bail to be taken for the appearance of such accused person before such Magistrate or Justice of the Peace, or if sufficient bail be not tendered, shall cause the accused person to be forwarded under custody to such Magistrate or Justice of the Peace. (S. C. C. & R. C.)

666. If the case be forwarded to a Magistrate, such Magistrate shall proceed to try the accused person in the manner provided for trials before a Magistrate, and it shall be competent to such Magistrate to adjudge such offender to punishment as provided in the Section of the Indian Penal Code under which he is charged. If the case be forwarded to a Justice of the Peace, such Justice of the Peace shall enquire into the circumstances, and shall have the same powers of punishing the offender as are vested by the Statute 53 Geo. III, Cap. 155, Section 105, in a Justice of the Peace for the punishment of an assault, and may deal with the offender in the same manner as is provided in that behalf in the said Statute. If such Justice of the Peace shall consider the offence to require a more severe punishment than a Justice of the Peace is competent to award under the said Statute, he may commit the offender to a High Court of Judicature. (S. C. C. & R. C.)

667. When any person has been sentenced by the Court to punishment under Section 664 for refusing or omitting to do any thing which he was lawfully required to do, it shall be competent to the Court to discharge the offender or to remit the punishment on the submission of the offender to the order or requisition of the Court. (S. C. C. & R. C.)

CHAPTER XVI.

MISCELLANEOUS.

668. The High Court shall have power to make and issue general rules not inconsistent with the provisions of this Code or of any other law for regulating the practice and proceedings of that Court and the Courts subordinate thereto and from time to time to alter any such rules. Any rules framed under this Section shall be published in the Official Gazette of the place where the High Court is held. (S. C. C. & R. C.)

669. The High Court shall also have power to frame forms for every proceeding in such Court and the subordinate Courts for which the High Court shall think it necessary that forms should be provided; for keeping all books, entries, and accounts to be kept by the Officers, and for the preparation and submission of any statements to be prepared and submitted by such Courts.

670. When in any part of British India in which this Code shall have operation, the highest Civil Court of appeal consists of a single Judge, he shall have all the powers vested by this Code in two or more Judges of the High Court.

If highest Court of appeal consist of only one Judge, he has all the powers of two or more High Court Judges.

671. The language which, at the time this Code comes into operation, is the language of any subordinate Court, shall continue to be the language of such Court until the Local Government shall otherwise order; but it shall be lawful for the Local Government from time to time to declare what language shall be the language of every such Court in which all or any of the proceedings shall be conducted. (S. C. C. & R. C.)

Language of subordinate Courts.

672. The Local Government shall fix the establishments of Ministerial and other Officers requisite for the Courts other than the High Court within the limits of its jurisdiction, and, with the sanction of the Governor-General of India in Council, shall assign to such Officers such salaries as from time to time such Government may deem proper. (S. C. C. & R. C.)

673. The High Court shall define and prescribe the duties to be performed by the Ministerial and other Officers on its establishment as well as by the Ministerial and other Officers on the establishments of subordinate Courts. (S. C. C. & R. C.)

High Courts to define duties of all Ministerial Officers.

674. No person shall be liable to arrest under this Code while attending, going to, or returning from the Court either in obedience to a summons or as a party to a suit, appeal or other proceeding.

Persons exempt from arrest.

675. Nothing in this Code shall be held to alter or affect the jurisdiction or procedure in Civil cases of Village Moonsiffs or Village or District Pancháyats under the provisions of the Madras Code; or the jurisdiction or procedure of Military Courts of Request: or the jurisdiction of a single Officer duly authorized and appointed under the rules in force in the Presidencies of Madras and Bombay respectively, for the trial of small suits in Military Bázars at Cantonments and Stations occupied by the Troops of those Presidencies respectively; or by Pancháyats in regard to suits against Military persons, according to the rules in force under the Presidency of Madras.

Saving of jurisdiction and procedure of Village Moonsiffs and Village and District Pancháyats in Madras—

of Military Courts of Request—

of single Officers appointed to try small suits in Madras and Bombay—

or of Military Pancháyats in Madras.

676. Nothing in this Code shall be held to affect the jurisdiction exercised by certain Jaghirdars and other authorities invested with powers under the provisions of Regulation XIII, 1830 of the Bombay Code (for vesting certain Jaghirdars, Surinjamidars, and Enamdars with the power of deciding suits within the boundaries of their respective estates), and Act XV of 1840 (for extending Regulations XV, 1827, and XII, 1830, of the Bombay Code to the Agents of Foreign Sovereigns) or their procedure in the exercise of such jurisdiction; or to affect suits instituted under Regulation XI, 1816, of the Bengal Code (for receiving, trying, and deciding claims to the right of inheritance or succession in certain Tributary estates in Zillah Cuttack) or cases of the nature defined in Regulation XXIX, 1827 (for bringing under the operation of the Regulations the Bombay Territories in the Dekkan and Khandesh), Regulation VII, 1830 (for bringing under the operation of the Regulations the Territories comprised in the Southern Mahratta Country), Regulations I and XVI, 1831 of the Bombay Code (for extending the jurisdiction of the Agent of Government in the Dekkan and Khandesh and of the Political Agent in the Southern Mahratta Country over suits in which certain privileged persons are concerned), Act XIX of 1835 (relating to the jurisdiction and authority of the Assistant to the Agent for Sirdars in the Dekkan), and Act XIII of 1842 (to enable the holders of revenue which has been alienated to them by the State to collect that revenue within the Presidency of Bombay), except that such suits and cases and the regular and special appeals to the Civil Courts allowed therein, shall be received, heard, and determined under the rules laid down in this Code, unless where those rules are inconsistent with any specific provisions contained in the Regulations and Acts mentioned in this Section.

To what extent this Code applies to them.

677. Save as hereinafter provided, this Code shall not extend to any suit or proceeding in any Court of Small Causes established under Act IX of 1850 (for the more easy recovery of Small Debts and Demands in Calcutta, Madras and Bombay); but the Local Government within the limits of whose jurisdiction any such Court is held, may, by notification published in the Official Gazette, extend to such Court this Code or any part thereof which relates to Courts of Small Causes except as to appeals and reviews of judgment.

This Code not to apply to Presidency Small Cause Courts, till specially extended to them.

678. This Code shall not extend to any part of British India in which Act VIII of 1859, as amended by Act XXIII of 1861, shall not be in force at the date of the passing of this Code until it shall have been specially extended to such part by an order of the Governor-General of India in Council or of the Local Government, duly published in the Official Gazette.

Parts of British India excepted from operation of this Code.

679. This Code shall not be deemed to repeal or affect the following provisions and parts of Act I of 1863 (to define the jurisdiction and to regulate the procedure

This Code not to affect certain provisions of Act I of 1863.

of the Courts of Civil Judicature in British Burmah, and to provide for the extension of certain Acts to the said Territory); that is to say, it shall not be deemed to repeal or affect so much of Section 7 as relates to the second appeal, or Sections 8, 10, 11, and 12, or Section 14 so far as it relates to the time for appeals whether regular or otherwise, or Section 15, or Section 16 so far as it relates to the time for appeals, or Section 17, except that the grounds on which a special appeal may be allowed as therein referred to shall be such grounds as are specified in Section 594 or Section 595 of this Code, or Section 20 so far as it relates to the stamp paper on which applications may be written and the time for appealing, or Section 27.

680. Nothing in this Code shall be deemed to repeal or affect the operation of Act XI of 1863 (to consolidate and amend the Law relating to the employment and remuneration of peons for the service and execution of Civil process) or Act V of 1863 of the Council of the Lieutenant-Governor of Bengal (to amend the Law relating to the employment and remuneration of peons for the service and execution of the process of the Civil and Revenue Courts). (S. C. C. & R. C.).

681. When in any Act passed prior to the coming into operation of this Code, reference is made to Act VIII of 1859, Act XXIII of 1861, or the "Code of Civil Procedure," such references shall be read as applying to this Code, and when any procedure is directed to be in accordance with the provisions of Act VIII of 1859, Act XXIII of 1861, or the "Code of Civil Procedure," such procedure shall

be deemed to be directed to be in accordance with the provisions of this Code. (S. C. C. & R. C.)

682. The procedure herein prescribed shall be followed from the date on which this Code shall come into operation, in all suits and appeals, regular, special or otherwise, and, as far as it can be made applicable, in all miscellaneous cases and proceedings instituted in any Court. But this Code shall not in any way invalidate or alter the effect of any thing which shall have been done in any suit, appeal, miscellaneous case, or proceeding prior to such date, and every thing which shall have been so done shall be deemed good and shall have effect so far as circumstances will permit, in like manner as if the same had been done in due course under this Code: Provided that no party to whom a right of appeal, whether regular, special or otherwise, shall have accrued under any law for the time being in force before this Code shall have come into operation, shall be deprived of such right by any thing contained in this Code, if he shall exercise such right by preferring his appeal to the proper Court in due form within the time allowed for preferring appeals by the law under which the right of appeal accrued. (S. C. C. & R. C.)

683. The Governor General of India in Council may invest the Chief Executive Officer of any part of British India under the immediate administration of the Government of India with the powers vested by this Code in a Local Government.

684. This Code shall come into operation on the day of 186. (S. C. C. & R. C.)

SCHEDULE A.

ENACTMENTS REPEALED.

Number and date of Regulations.	Title.	Extent of repeal.
	BENGAL.	
Regulation III of 1793	For extending and defining the jurisdiction of the Courts of Dewanny Adawlut, or Courts of Judicature for the trial of Civil suits in the first instance, established in the several Zīlas, and in the cities of Patna, Dacca, and Moorshedabad	Section 14.
" IV of 1793	For receiving, trying, and deciding suits or complaints declared cognizable in the Courts of Dewanny Adawlut established in the several Zīlas, and in the cities of Patna, Dacca, and Moorshedabad	Sections 14 and 20.
" VI of 1793	For extending and defining the powers and duties of the Court of Sudder Dewanny Adawlut, and prescribing Rules for receiving and deciding upon Appeals from the decisions of the Provincial Courts of Appeal	Sections 13 and 14.
" X of 1795	For empowering the Sudder Dewanny Adawlut to receive and decide upon Appeals from Decisions of the Provincial Court of Appeal established in the Province of Benares; and for defining the jurisdiction, powers, and authorities of the Sudder Dewanny Adawlut in that Province	Sections 1 and 4.
" II of 1798	For authorizing a Review of Causes decided by the Civil Courts in certain cases; and for explaining Parts of Regulations IV, V and VI, 1793	Sections 1 and 4.
" II of 1801	For the more speedy and effectual administration of justice in the Courts of Sudder Dewanny and Nizamut Adawlut	Sections 1, 2, 5 and 6, so far as they relate to the Sudder Dewanny Adawlut.
" XII of 1811	For augmenting the number of Judges of the Courts of Sudder Dewanny Adawlut, according as may from time to time appear necessary for the despatch of the business of those Courts	So far as it relates to the Sudder Dewanny Adawlut.

BENGAL.—(Continued.)						
Regulation XXV of 1814 -						For modifying the constitution and jurisdiction of the Sudder Dewanny Adawlut and of the Provincial Courts, for expediting the trial of Civil Causes in those Courts, and for defining more fully the powers of single Judges holding the sittings of those Courts, or of the Nizamut Adawlut and Courts of Circuit
" III of 1829						For abolishing certain Official Designations amongst the Judges of the Courts of Sudder Dewanny and Nizamut Adawlut, and of the Provincial Courts; for amending the Rules at present in force, which require the Judges of the Courts of Sudder Dewanny and Nizamut Adawlut, or other public Officers, to take the prescribed Oaths of Office before the Governor General in Council; for providing for the Decision of Civil Suits and Appeals in the Provincial Courts in certain Cases; for amending Regulation VIII of 1825, and for discontinuing the Offices of Hindu and Mahomedan law Officer in the Provincial Courts
" VI of 1831						For the appointment of one or more Judges to be ordinarily stationed at Allahabad for the purpose of exercising the powers and authority of the Sudder Dewanny and Nizamut Adawlut within the Province of Benares, the ceded and conquered Provinces, including the Districts of Meerut, Shaharunpoor, Mozuffernuggur, and Boolundshuhur, which are now subject to the Chief Commissioner at Delhi, and the powers and authority of the Nizamut Adawlut in the Province of Kumaon and the Saugor and Nerbudda Territories
" IX of 1831						For the more speedy and efficient administration of justice in the Courts of Sudder Dewanny and Nizamut Adawlut
" VI of 1832						For enabling European functionaries to avail themselves of the assistance of respectable Natives in the administration of Civil or Criminal Justice, and for modifying or dispensing with Futwas by Mahomedan Law Officers in certain trials
" V of 1802						For constituting a Sudder Adawlut, or Chief Court of Civil Judicature, for trying Appeals from the decisions of the Provincial Courts of Appeal
						MADRAS.

Section 18, so far as it relates to the Sudder Dewanny Adawlut.

Sections 1, 2 and 3.

Section 7, so far as it relates to the Court of Sudder Dewanny Adawlut.

Section 9, so far as it relates to the Court of Sudder Dewanny Adawlut.

So far as it relates to Courts for the administration of Civil Justice.

Sections 11, 12, 14, 17, 22 and 28.

Number and date of Regulations.	Title.	Extent of repeal.
	MADRAS.—(Continued.)	
Regulation IV of 1806	For the more speedy and effectual administration of Justice in the Courts of } Sudder Adawlut and Foujdarry Adawlut	So far as it relates to the Sudder Adawlut.
" III of 1807	For modifying the constitution of the Courts of Sudder Adawlut and Foujdarry } Adawlut, so far as relates to the appointment of the Judges of those Courts	The whole.
" XV of 1816	For modifying the jurisdiction of the Zilla and Provincial Courts, and the } Court of Sudder Adawlut, in the trial of original suits and appeals; for amending some of the Rules at present in force regarding the admission and trial of special and summary Appeals from decisions passed in regular suits; and for limiting and altering some of the existing provisions respect- ing the Pleadings and Processes, and the mode of executing Decrees in regular suits and Appeals	Section 8, Clause 2.
" III of 1825	To prohibit Judges from sitting on the trial of Appeals in causes tried before } themselves; and to empower the Governor in Council to increase, at his discretion, the number of Judges of the Provincial Courts of Appeal and Circuit, and of the Sudder and Foujdarry Adawlut	The whole.
		Extent of repeal.
Number and date of Acts.	Title.	
Act XI of 1836		Section 2.
" VII of 1840	For authorizing the appointment of Uncovenanted Servants to the Offices of } Deputy Register and Assistant Register to the Sudder Courts of the Presiden- } cy of Fort William in Bengal.	So far as it relates to the Court of Sudder Dewanny Adawlut.

Number and date of Acts.	Title.	Extent of repeal.
Act XXIII of 1840	For executing within the local limits of the jurisdiction of Her Majesty's Courts legal process issued by authorities in the Mofussil - - -	So far as it relates to the execution of the process of Civil Courts.
" XII of 1849	For improving the jurisdiction of the Sudder Adawlut of Bombay, and for amending Section 36 Regulation II, 1827 of the Bombay Code - - -	The whole.
" II of 1851	To amend Regulation XIII, 1810 of the Bengal Code, for the trial of Appeals - - -	The whole.
" VII of 1855	To amend the law of arrest en mesne process in Civil actions in Her Majesty's Courts of Judicature and to provide for the subsistence of prisoners confined under Civil process of any of the said Courts - - -	The whole.
" VIII of 1859	For simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter - - -	The whole.
" XXIII of 1861	To amend Act VIII of 1859 (<i>for simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter</i>) - - -	The whole.
" X of 1862	To consolidate and amend the Law relating to Stamp Duties - - -	Sections 17 and 26.
" IX of 1863	To amend the Code of Civil Procedure - - -	The whole.
" XVIII of "	To make provision for the speedy and efficient disposal of the business now pending in the Office of the Master of the High Court of Judicature at Fort William in Bengal, and to provide for the abolition of the oaths now administered to Hindoos and Mahomedans in the said Court, and to amend the Code of Civil Procedure in respect of process issued out of the said Court in the exercise of its original Civil jurisdiction - - -	Sections 5, 7, 8, 10, and 11.

Court of the _____ of _____ holden at _____
 REGISTER OF CIVIL SUITS in the year 18 ____.

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SCHEDULE C.

No. of Suit.

In the Court of at

Plaintiff.

Defendant

To

(Name, description, and address.)

Whereas [here enter the name, description, and address of the plaintiff] has instituted a suit in this Court against you [here state the particulars of the claim as in the Register]: you are hereby summoned to appear in this Court in person on the day of at in the forenoon [if not specially required to appear in person, state—"in person or by an Advocate of the Court duly instructed and able to answer all material questions relating to the suit, or who shall be accompanied by some other person able to answer all such questions"] to answer the above-named plaintiff. [If the summons be for the final disposal of the suit, this further direction shall be added here; "and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce all your witnesses on that day"]: and you are hereby required to take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence; and you will bring with you (or send by your agent) [here mention any document the production of which may be required by the plaintiff] which the plaintiff desires to inspect, and any document on which you intend to rely in support of your defence.

SCHEDULE D.

No. of Suit.

In the Court of at

Plaintiff.

Defendant.

To (Name, description, and address.)

You are hereby summoned to appear in this Court in person on the day of at in the forenoon, to give evidence on behalf of the plaintiff (or the defendant) in the above-mentioned suit, and to produce (here describe with convenient certainty any document the production of which may be required. If the Summons be only to give evidence, or if it be only to produce a document, it must be expressed accordingly): and you are not to depart thence without the leave of the Court.

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SECOND APPENDIX TO
The Calcutta Gazette.

WEDNESDAY, MAY 10, 1865.

Schedules of Estates UNDER CHARGE OF THE **Administrator-General of Bengal**
PREPARED UP TO THE 31ST DECEMBER 1864, UNDER ACT VIII. OF 1855.

INDEX.

- A.**—SCHEDULE of all Administrations whereof the FINAL BALANCES have been PAID TO THE PERSONS ENTITLED to the same, specifying the amount of such BALANCES, and the persons to whom paid, during the six months ending on 31st DECEMBER 1864.
- B.**—SCHEDULE of all Sums of Money, Bonds, and other Securities RECEIVED by the Administrator-General on account of ESTATES, NOT being HINDOO OR MAHOMEDAN, remaining under his charge, together with the PAYMENTS made thereout and the BALANCES prepared up to the 31st DECEMBER 1864, under Section XXXIV. of Act VIII. of 1855.
- C.**—SCHEDULE of all Sums of Money, Bonds, and other Securities RECEIVED by the Administrator-General on account of HINDOO AND MAHOMEDAN ESTATES remaining under his charge, together with the PAYMENTS made thereout and the BALANCES in hand.
- D.**—SCHEDULE of BALANCES in the hands of the Administrator-General set apart to meet the ADMITTED CLAIMS of CREDITORS against the Estates therein mentioned.
- E.**—SCHEDULE of UNCLAIMED BALANCES of Estates under 500 RUPEES deposited with the Sub-Treasurer, Fort William, under the Financial Secretary's letter of the 8th October 1852, Interest being allowed thereon by Government.

SCHEDULE A. of all Administrations whereof the Final Balances have been paid to the Persons entitled to the same, specifying the amount of such Balances and the Persons to whom paid, prepared from 1st June to 31st December 1864, under Section XXXIV. of Act VIII. of 1855.

ESTATES.	Date of Administration.	Date of Payment.	PAYMENTS.				PARTIES TO WHOM PAID.
			Government Securities.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Cash.	
			In Sa. Rs.	In Co.'s Rs.			
A.							
Ahern, Sub-Conductor John,—Share Account of the Brothers of the deceased	11 May 1858 ...	5 July 1864 ...	0	0	...	409 11 5	Remitted to the India House for payment to Messrs. Lawford and Waterhouse on behalf of Patric and William Ahern, Brothers of the deceased being their respective one-fourth share of a moiety of the balance of this Estate as per Account closed to 1st July 1864.
Anderson, Major John	19 Aug. 1858 ...	1 Dec. 1864 ...	0	0	...	263 12 6	Remitted to the India House for payment to Mrs. Elizabeth Anderson James Anderson, and Major George Thomson as Trustees under the Will of the deceased, being the balance of further Assests of this Estate as per Account closed to 29th November 1864.
Aslat, Edward Ham	3 Sept. 1863 ...	18 Aug. 1864 ...	0	0	...	592 2 11	Remitted to the India House for payment to Mrs. Ann Aslat, Mother of the deceased, being her, and Walter Ham, William Ham, Alfred Ham, and Juli Aslat's (Brothers and Sister of the deceased) respective one-fifth share of the balance of this Estate as per Account closed to 16th August 1864.
Aston, William	14 May 1863 ...	29 July 1864 ...	0	0	...	1016 5 11	Remitted to the India House for payment to Mrs. Sarah Aston, Widow of the deceased, for herself and Children, being the balance of this Estate as per Account closed to 26th July 1864.
Aubrey, Richard	21 July 1857 ...	26 & 27 July 1864	1500	0	...	429 2 2	Paid and delivered to Mr. J. E. Barker, and Mrs. A. P. Barker, Daughter of the deceased, under his Will, being the balance of her one-third share of the balance of this Estate as per Account closed to 16th April 1864, and the balance of 1864 half-year's Interest realized on the Government Promissory Note for Sicca Rupees 1,500.
Axam, William	{ Taken charge } { 16 Sept. 1858 }	31 Oct. 1864 ...	0	0	...	249 0 5	Remitted to the India House for payment to John Axam, Father of the deceased, being the balance of this Estate as per Account closed to 28th October 1864.

B.

Babajohn Massey *alias* Martyrus—Account of the Proceeds of House and Rent of House No. 114-5 and Godwms Nos. 114 to 123

1 Nov 1814	...	20 July 1864	...	0	12000	...	...	5520 1 0	Transferred to Account of Legacy to the Prisoners of the Court of Request and the poor Armenians, and to Account of Legacy to the Institutions of new Nankchewan in equal shares, being the balance of this Estate as per Account closed to 23rd June 1864.
27 June 1855	...	31 Aug. 1864	...	0	0	...	...	441 5 7	Remitted to the India House for payment to Mrs. M. B. Baillie, Mr. B. Bell and Mr. N. B. E. Baillie, the Trustees of the Will of the deceased, being the balance of further Assests of this Estate as per Account closed to 27th August 1864.
18 March 1858	...	22 Nov. 1864	...	0	0	...	...	912 15 10	Paid to F. A Hypher, being the balance of his Legacy left to him under the Will of the deceased as per Account closed to 16th November 1864.
{ Taken charge } { 14 Sept. 1855 }	...	18 Aug. 1864	...	0	0	...	...	56 10 5	Remitted to the India House for payment to Mrs. Mary Batty, Widow of the deceased, for herself and Children, being the balance of this Estate as per Account closed to 16th August 1864.
10 March 1863	...	31 Ditto	...	0	0	...	...	457 4 8	Remitted to the India House for payment to James Keane, the Trustee of the deceased's Will, on behalf of the deceased's step Sister and only next of kin, Miss Ellen Beauchamp, being the balance of further Assests of this Estate as per Account closed to 29th August 1864.
8 May 1855	...	29 July 1864	...	0	0	...	...	164 15 6	Remitted to the India House for payment to Revd. G. S. C. Bennett, Father and next of kin of the deceased, being the balance of this Estate as per Account closed to 23rd July 1864.
12 March 1860	...	1 Dec. 1864	...	0	0	...	...	218 1 9	Remitted to the India House for payment to John Geraghty, Son of the late James Geraghty, Brother of the deceased, being his one-third of one-fourth share of the balance of this Estate, with Interest, as per Account closed to 29th November 1864.
18 Feb. 1853	...	29 Nov. 1864	...	0	0	...	...	24 15 7	Paid to A. B. Spry, being one-third moiety of the balance of further Assests of this Estate as per Statement dated 10th June 1864, payable to the Calcutta Vestry as a Legacy under the Will of the deceased.
27 Feb. 1863	...	{ 31 Oct. & 5 } { Dec. 1864... }	...	0	0	...	...	6017 2 9	Transferred to the Share Account of Mary Hamilton Boileau and Arthur Cadell Tait Boileau, Children of Mrs. M. G. Cadell, and Mrs. C. B. Nicholl, Daughter of the deceased by a former marriage, being two-thirds share, and paid and delivered to Mrs. M. G. Cadell, Widow of the deceased, and Captain A. Cadell, Royal Engineers, through Messrs. Colvin, Cowie and Co., being the balance of her one-third share of the balance of this Estate as per Account closed to 29th October 1864.

* Agra Bank Shares

A.

ESTATES.	Date of Administration.	Date of Payment.	PAYMENTS.				PARTIES TO WHOM PAID.
			Government Securities.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Cash.	
			In Sa. Rs.	In Co.'s Rs.			
C.							
Clair, Madamè Maria	9 Oct. 1863 ..	29 Sept. 1864 ..	0	11800	..	507 4 8	Paid and delivered to Joseph Clair, Francois Volay, Jean Francois Clair, and Antoinette Epina Seyty, next of kin of the deceased, by their constituted Attorney, Robert Campbell, Agent, Chartered Mercantile Bank of India, London, and China, being the balance of this Estate as per Account closed to 23rd September 1864.
Cleland, John Clarke	3 Sept. 1863 ..	20 Oct. 1864 ..	0	0	...	526 2 6	Remitted to the India House for payment to David Cleland, Father of the deceased, being the balance of this Estate as per Account closed to 29th September 1864.
Conolly, Lieutenant Christopher, -Share Account of C. A. Conolly and Mrs. A. C. Sweeny, Son and Daughter of the deceased	22 June 1858 ...	18 Nov. 1864 ...	0	0	...	31 6 11	Paid to C. A. Conolly, Son of the deceased, being his one-seventh of two-thirds share of the balance of this Estate as per Account closed to 22nd July 1864.
Cooper, Lieut.-Colonel John Chamier	21 Sept. 1858 ...	20 Oct. 1864 ...	0	0	...	305 7 9	Remitted to A. W. Cooper, Sydney; C. W. B. Cooper, Engowra; and Mrs. Maria Cooper, on behalf of J. B. Cooper, Noorwood, Upper Manning River, New South Wales, Sons of the late Leonard Cooper, Brother of the deceased, by Bills of Exchange, being their respective one-eighth of one-fifth of half share of the balance of this Estate, with Interest, as per Accounts closed to 30th August and 29th September 1864.
Cotton, Lieut.-Colonel Henry, -Share Account of Francis Frederick Cotton, Son of the deceased	11 May 1858 ...	11 Aug. 1864 ...	0	2000	..	1073 11 7	Paid and delivered to Lieutenant Francis Frederick Cotton, Royal Engineers, Son of the deceased, through Messrs. Grindlay and Co., being his half share of the balance of this Estate as per Account closed to 22nd January 1862.

Craig, Miss Mary	...	7 Jan. 1864	...	28 Oct. 1864	...	0	4500	...	...	182 7 9	Paid and delivered to Richard Craig and Miss Martha Craig, Brother and Sister and only next of kin of the deceased, being the balance of this Estate as per Account closed to 24th October 1864.
Crossman, John	...	{ Taken charge } { 8 June 1857 }	...	20 Ditto	...	0	0	...	...	11 15 10	Remitted to the India House for payment to Mrs. Crossman, Widow of the deceased, being the balance of this Estate as per Account closed to 28th September 1864.
Cumberlege, William Leycester	...	15 Nov. 1861	...	5 Sept. 1864	...	0	0	...	...	113 8 2	Paid to Lieutenant Archibald F. Cumberlege, B. A., Son of the late John Cumberlege, Brother of the deceased, being his one-fifth share of two-thirds of his late Father's one-fifth share of the balance of this Estate as per Account closed to 28th November 1862.
Cunningham, Mrs. Maria Ann	...	31 Mar 1864	...	4 Nov. 1864	...	0	0	...	...	1077 5 9	Remitted to the India House for payment to Mrs. C. E. Jones, Daughter of the deceased, being the balance of her half share of the balance of this Estate as per Account closed to 3rd November 1864.
D.											
DeCruz, Laurence	...	14 June 1864	...	4 Oct. 1864	...	0	0	...	...	451 8 1	Paid to Joseph DeCruz, being in full of his one-third share of this Estate as Brother of the deceased as per Account closed to 27th September 1864.
DeSilva Domingo, — Trust for the Marriage Settlement of Mr. and Mrs. Domingo Manuel DeSilva	...	15 July 1848	...	1 Dec. 1864	...	6000	2700	...	...	432 5 9	Paid and delivered to E. C. Brown, Executor of E. T. P. DeSilva, being his one-third share of a moiety of this Estate as per Account closed to 23rd May 1859, and one-third share of the remaining moiety per Account closed 20th January 1863, paid to him as per Account closed to 28th November 1864, and in terms of his release dated the 29th day of November 1864.
Daniell, Assistant Surgeon Hickman Rose, — Share Account of Lucy K. Armstrong	...	12 Jan. 1863	...	20 Ditto	...	0	0	...	...	1390 4 6	Remitted to the India House for payment to Miss L. R. Daniell, now Mrs. Armstrong, share as Sister of the deceased as per Account closed to 19th December 1864.
----- Share Account of Miss Luisa Susanna Daniell	...	Ditto	...	5 July 1864	...	0	0	...	...	1411 6 8	Remitted to the India House for payment to Miss Luisa Sussanna Daniell, being her one-fourth share of this Estate as per Account closed on 5th July 1864.
Davidson, Ensign John Tierney	...	31 Aug. 1853	...	30 Aug. 1864	...	0	0	...	...	221 0 0	Remitted to the India House for payment to John Davidson, the Father of the deceased, being the balance of further Assets of this Estate as per Account closed on 29th August 1864.
Dickens, Lieutenant Thomas Eden	...	29 July 1850	...	Ditto	...	0	0	...	...	269 5 2	Remitted to the India House for payment to W. Dickens, Father of the deceased, being the balance of further Assets of this Estate as per Account closed on 29th August 1864.

A.

ESTATES.	Date of Administration.	Date of Payment.	PAYMENTS.				PARTIES TO WHOM PAID.	
			Government Securities.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Cash.		
			In Sa. Rs.	In Co.'s Rs.				Rs. As. P.
D.								
Dopping, Assistant Surgeon Anthony	3 Nov. 1858	5 Nov. 1864	0	0	..	1545 6	4	Remitted to the India House for payment to E. Dopping, Brother, Administrator in England, in full balance of this Estate as per Account closed on 27th October 1864.
Dubordieux, Charles, — Share Account of Alexander John Shaw Dubordieux	9 Feb. 1854	1 Ditto	0	3500	..	72 15	3	Paid and delivered to A. Dubordieux, being his half share of this Estate as per Account closed on 23rd September 1864, and paid to him as one of the Sons of the deceased and in terms of his release dated 19th November 1864.
E.								
Eckford, Ensign Robert, of 10th N. I.	30 Sept. 1858	5 Ditto	0	0	..	13 10	10	Remitted to the India House for payment to General Eckford the balance of this Estate as per Account closed on 20th October 1864.
Ellis, Albert R. L.	5 May 1862	1 Dec. 1864	0	0	..	1056 6	8	Paid to T. H. W. Ellis, Chaplain, being the balance of this Estate as per Account closed to 23rd November 1864, paid to him in part satisfaction of his claim for Rupees 1,200.
F.								
Fell, John Wethington Adams	14 Aug. 1858	23 Nov. 1864	0	500	..	156 1	2	Transferred to the Share Account of John Forbes as Nephew of the deceased, as per Account closed on 7th November 1864.
G.								
Garner, Assistant Surgeon Hartwell Samuel	22 Dec. 1858	14 Ditto	0	25100	..	329 14	11	Transferred to the Share Account of Elizabeth Mary Garner, only Child of the deceased, as per Account closed to 11th November 1864.
Garrett, Edward	Ditto	1 July 1864	0	0	..	25 10	6	Paid to Mr. R. S. Moncrieff, Administrator to this Estate, being the balance at credit of this Estate.
Gawen, Revd. James	2 April 1857	17 Nov. 1864	0	13500	..	0 0	0	Transferred to the Share Account of Emily Gawen, the only Child of the deceased, as per Account closed on 12th November 1864.
Giles, Thomas	10 Nov. 1857	4 Oct. 1864	0	2000	..	117 10	5	Remitted to the India House, for payment to Messrs. Lawford and Waterhouse, the balance of the Account as per Account closed to 3rd October 1864.

Godby, Conductor Phillip	... 24 April 1861	... 21 July 1864	...	0	0	...	...	1346 5 3	Transferred to Realty Account, being the balance at credit of this Estate as per Account closed on 21st July 1864.
-----, Realty Account	.. Ditto	.. 10 Aug. 1864	...	0	0	...	...	402 9 7	Paid to P. H. Godby, being the balance of this Estate as per Account closed on 21st July 1864, and paid to him as the eldest Son and next of kin of the deceased.
Gold, Dr. F.		.. 7 Dec. 1864	...	0	0	...	...	2 11 7	Paid to Debee Begum, being the further Assets of this Estate payable her under the Will of the deceased.
Graham, Lieutenant-Colonel John	.. 18 June 1862	.. 5 Nov. 1864	...	0	0	...	...	4118 1 1	Remitted to the India House for payment to C. Pemberton, Executor of the deceased in England, being the further balance in cash of this Estate as per Account closed on 29th September 1864.
Griffin, Thomas	... 23 Dec. 1863	.. 28 Ditto	..	0	0	...	...	468 12 0	Remitted to the India House for payment to the Father of the deceased as per Account closed on 18th November 1864.
-----, Captain Brevet-Major J.		.. 15 Aug. 1864	..	0	0	...	...	367 14 11	Paid to C. S. Hogg, Administrator-General and Administrator to the Estate of Major-General A. H. E. Boileau, deceased, being the further part payment of Major-General A. H. E. Boileau's claim of Rupees 2,000 again, this Estate.
H.									
Haeberlin, Mrs. Charlotte Wilhelmine	... 21 Sept. 1858		...	0	73900	...	...	518 15 11	Transferred to Legacy Account of Curl and John Haeberlin as Legatees under the Will of the deceased as per Account closed to 29th September 1864.
Halfhide, Robert Sampson.—Share Account of Sophia Elizabeth Halfhide	.. 21 Sept. 1859	... 5 Dec. 1864	...	0	0	...	...	21 3 7	Paid to Sophia Elizabeth Halfhide, through Sophia M. Boys, being the balance in full of her share of this Estate.
Halford, Lieutenant-Colonel William Hamilton		.. 5 Nov. 1864	...	0	0	...	...	157 3 4	Remitted to the India House for payment to the Widow of the deceased being the further balance of this Estate as per Account closed on 20th October 1864, as Trustee for her only Child.
Hand, George	.. 24 June 1863	... 27 July 1864	...	0	0	...	...	1732 13 4	Paid to Robert Hand, being the balance of this Estate as per Account closed on 21st July 1864, and paid to him as Father and next of kin of the deceased in accordance with his letter of the 2nd March 1864.
Hely, Veterinary Surgeon Forbes Augustus.—Share Account of Edward and Frederick Hely	.. 1 Feb. 1861	... 22 Nov. 1864	...	0	0	...	..	574 10 0	Paid to F. A. Hely, by his constituted Attorney, George M. Struthers, being the one-seventh share of the late Mr. Edward Hely, as per Account closed on 18th June 1864, and paid to him as the Brother and Acting Executor of the late Edward Hely.
Higgins, Mrs. Amelia	... 13 Oct. 1862	.. 11 Ditto	..	0	0	...	..	611 7 5	Transferred to the Share Account of John James Higgins, William Joseph Higgins, George Arthur Higgins, Mary Ann Ellis, and Elizabeth Ann Higgins, Children of the deceased, being their respective one-fifth share of the balance of this Estate as per Account closed on 30th October 1864.

A.

ESTATES.	Date of Administration.	Date of Payment.	PAYMENTS.				PARTIES TO WHOM PAID.
			Government Securities.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Cash.	
			In Rs.	In Co.'s Rs.			
H. Holroyd, Henry	14 Nov. 1859	21 Dec. 1864	0	0	...	1394 15	Remitted to the India House for payment to Mrs. Lucy Holroyd, Widow, her one-third share, Miss Lucy Sarah Holroyd, George Samtig Holroyd, Children, being their respective one-fourth of two-thirds Shares of the balance of this Estate as per Account closed on 12th December 1864.
Hulke, Thomas Manly	27 Feb. 1863	21 Ditto	0	0	...	165 0 0	Remitted to the India House for payment to Dr. W. Hulke, Father of the deceased, being the balance of further Assets of this Estate as per Account closed on 19th December 1864.
Huttmann, George Frederick Cecil	14 Jan. 1861	16 Ditto	0	0	...	143 1 8	Paid to H. Burkinyang and W. Roberts, Trustees of the Marriage Settlement of the late G. F. C. Huttmann, by their constituted Attorney, J. J. Cogswill, being the further balance of this Estate, paid to them on Account of their Bond Claim for Rupees 89,918-10 as the Trustees of the Marriage Settlement of the Widow of the deceased.
J. Jackson, Lieutenant Phillip Hays	18 May 1858	3 Ditto	0	4400	...	222 11 3	Transferred to the Share Accounts of Mrs. Rose and Erice Sutherland Jackson the further balance at credit of this Estate as per Account closed to 31st November 1864.
Jennings, Revd. Midgley John, — Share Account of Mr. M. M. Jennings	2 Feb. 1858	19 Ditto	0	0	...	2218 15 9	Remitted to the India House for payment to Mrs. M. M. Jennings, Widow of the deceased, her one-third share of the balance of the further Assets of this Estate as per Account closed to 15th December 1864.
Johns, Sergeant Thomas	26 Dec. 1859	3 Nov. 1864	0	17900	...	0 0 0	Transferred to the Legacy Account of the Children the balance at credit of this Estate as per Account closed to 8th September 1864.
Jackson, Captain Francis Constable	...	28 July 1864	0	0	...	4362 8 2	Remitted to the India House for payment to John Flower Jackson, Executor of the late Mrs. Isabella Maria Jackson, Widow and Universal Legatee of the deceased, the balance of this Estate as per Account, 21st July 1864.

Jones, John Moore, —Share Account of the Children of the late E. S. Jones	...	8 Dec. 1857	... 12 Aug. 1864	...	0	0	...	...	844 15 2	Paid to Hugh Maxwell, Attorney for Mrs. Katherine Grahame Jones, Widow one-third, and two-third on account of the Children of the late E. S. Jones the balance of this Estate as per Account closed to 5th August 1864.
Jennings, Revd. Midgley John	...	2 Feb. 1858	... 17 Dec. 1864	...	0	0	...	...	6656 15 3	Transferred the further Assets of this Estate to the following Share Account as per Account closed to 15th December 1864, viz.:— Rs. As. P. Estate Revd M. J. Jennings, Share Account of Mrs. M. M. Jennings' one-third ... 2,218 15 Estate Revd. M. J. Jennings, Share Account of W. H. J. Jennings' one-third of two-third .. 1,479 5 Estate Revd. M. J. Jennings, Share Account of R. M. Jennings' one-third of two-third ... 1,479 5 Estate Revd. M. J. Jennings, Share Account of Miss E. Jennings' one-third of two-third .. 1,479 5 Total, Rs. ... 6,656 15
Kreiss, Revd. Frederick Augustus	...	11 June 1858	... 3 Ditto	...	0	2900	...	...	33 3 11	Transferred to the Share Account of the Children the balance of this Estate as per Account closed to 29th November 1864.
Langer, Mrs. Sarah, —Share Account of F. J. K. Langer	...	15 Mar. 1857	... 16 Nov. 1864	...	0	1600	...	...	155 5 10	Paid and delivered to F. J. K. Langer the balance of his Share of the Estate as per Account closed.
Law, Serjeant James	...	15 Dec. 1858	... 25 Oct. 1864	...	0	1700	...	...	3 7 3	Transferred to the Share Account of the Children the two-third balance of this Estate as per Account closed to 25th October 1864.
Lamport, Thomas William	...	{ Taken charge. } 7 Mar. 1863.	3 Nov. 1864	...	0	0	...	...	490 1 2	Remitted to the India House for payment to Messrs. W. H. Smith Barr and Co., on behalf of the parties entitled their respective Shares of the balance of this Estate as per Account closed to 2nd November 1864.
Littlefield, John	...	30 Aug. 1861	... 6 Sept. 1864	...	0	0	...	...	236 13 9	Paid to A. T. Jones, through Grindlay and Co., being the balance in full his one-sixth Share of the balance of this Estate.
McDonald, Captain Donald	...	4 May 1858	... 29 Ditto	...	0	0	...	...	1264 14 8	Remitted to the India House for payment to Lieutenant-Colonel J. Macdonald the Uncle and Guardian of the deceased's Children, the balance of the Estate as per Account closed to 29th September 1864.
Melville, Phillip	...	14 Aug. 1854	... 3 Oct. 1864	...	4650	18800	...	...	609 7 4	Transferred to the Share Account of the Children, being the balance of two-third Share of this Estate as per Account closed to 1st October 1864.
Machell, Thomas	...	25 Mar. 1863	... Ditto	...	0	0	...	...	4667 6 6	Remitted to the India House for payment to the Revd. R. B. Machell Brother of the deceased, the balance of this Estate as per Account closed to 1st October 1864.

A.

ESTATES.	Date of Administration.	Date of Payment.	PAYMENTS.					PARTIES TO WHOM PAID.	
			Government Securities.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Cash.			
			In Sa. Rs.	In Co.'s Rs.		Rs.	As. P.		
M.									
Meredith, James	... 24 Nov. 1863	... 2 Dec. 1864	...	0	0	...	534 2 9	Paid to Mrs. E. A. Green, Widow of the deceased, through Agra and United Service Bank, being the balance of her one-third Share of this Estate as per Account closed to 16th November 1864.	
Moulinie, M. H. F.	... 26 Feb. 1864	... 8 Augt. 1864	...	0	0	...	470 7 9	Paid to Mrs. Nelie Courreges, only Sister and next of kin of the deceased through her constituted Attorney, A. Jacquemine, Acting French Consul the balance of this Estate as per Account closed to 5th August 1864.	
Mosley, Captain Herbert Henry	... 11 July 1863	... 8 July 1864	...	0	0	...	880 15 3	Paid to E. S. Mosley, through Colvin, Cowie and Co., the balance in full of the Assets of this Estate as per Account closed to 5th June 1864, and paid to him under authority of Mrs. Elizabeth Sarah Mosley, the Mother and Administratrix of the deceased, dated 12th November 1864.	
Moncrieff, Revd. E. T. R.	... 21 Sept. 1858	... 12 Sept. 1864	...	0	2000	...	0 0 0	Delivered to Revd. F. R. Vallings, Secretary to the Society for the Propagation of the Gospel, the Government Promissory Notes standing in the name of the deceased, but belonging to the Society for the Propagation of the Gospel.	
Marcus, George Thomas,—Personalty Account		... 19 Dec. 1864	...	0	0	...	14433 15 6	Remitted to the India House for payment to Mrs. Marcus, Widow of the deceased, the balance of this Estate as per Account closed to 12th December 1864.	
Maltby, Dr. S.		... 20 Sept. 1864	...	0	4000	...	0 0 0	Remitted to Dr. G. Grant, Secretary, Branch Dispensary, Futtehlghur, the Government Promissory Note belonging to this Estate.	
N.									
Nightingale, Assistant Surgeon Manby	... 1 Oct. 1850	... 29 Ditto	...	0	0	...	643 4 2	Remitted to the India House for payment to Major C. L. Showers, being the balance of one-third Share of two-thirds of the balance of this Estate, as per Account closed dated 27th September 1864, payable to Ethel Nightingale, Daughter of the deceased.	

O.	O'Connor, Sub-Conductor Thomas	24 Aug. 1852	4 Oct. 1864	0	0	...	1591	3 10	Paid to the Bank of Bengal, being further part payment of Government claim for Rupees 6,507-5-7 against this Estate.
	Onslow, Henry Phillips	3 Oct. 1863	12 Nov. 1864	0	0	...	37	15 10	Paid to Mr. David Wood, being the balance of Widow's one-third Share of the balance of this Estate as per Account closed dated 16th September 1864, paid to him as Brother of the Widow of the deceased.
P.	Parker, Revd. William John	14 May 1863	15 July 1864	0	0	...	1122	2 4	Paid to Mrs. Harriet Ann Parker, Widow of the deceased, through Bank of Bengal, being the one-third Share of the balance of this Estate as per Account closed dated 17th June 1864.
	Ferry, Henry	{ Taken charge. } 16 June 1863.	4 Ditto	0	0	...	303	8 0	Remitted to the India House for payment to the Widow (Mrs. Mary Ann Perry) and Children, through Mr. J. H. Rowland, Magistrate, Glamorgan-shire Banking Company, Neath, being the balance of this Estate as per Account closed dated 22nd June 1864.
	Paul, Lieutenant William	17 Jan. 1859	26 Aug. 1864	0	0	...	99	10 11	Paid to Mr. John Liston Paul as Legatee under the Will of John Paul, who was the Father and next of kin of the deceased, being the balance of further Assets of this Estate as per Account closed dated 4th July 1864.
	Pope, Peter	2 Feb. 1864	29 Sept. 1864	0	0	...	2461	2 7	Remitted to the India House for payment to Peter Pope, the Father of the deceased, being the balance of this Estate as per Account closed dated 27th September 1864.
R.	Robinson, Henry Houtton	22 July 1862	28 July 1864	0	0	...	306	1 1	Remitted to the India House for payment to Revd. W. Robinson, being the balance of this Estate as per Account closed dated 27th July 1864, payable to him as the Father of the deceased.
	Rose, James	17 Feb. 1863	31 Oct. 1864	0	0	...	630	8 7	Remitted to the India House for payment to Charles Rose, Ellis Rose, Edward Rose, and Frederick Rose, the Brothers of the deceased, being their respective one-tenth Share of the balance of this Estate as per Account closed dated 21st June 1864, payable to them on their proof of their being of age.
	Rothwell, James	1 Nov. 1859	Ditto	0	0	...	24	7 10	Remitted to the India House for payment to Mrs. Rothwell and her Children, being the balance of further Assets of this Estate as per Account closed dated 27th October 1864.
S.	Salkeld, Lieutenant Philip	28 Mar. 1859	30 Nov. 1864	0	0	...	806	14 8	Remitted to the India House for payment to Messrs. Alexander Fletcher and Company, Agents of Miss Elizabeth Salkeld, the Sister and sole Legatee of the deceased, being the balance of further Assets of this Estate as per Account closed dated 24th November 1864.

A.

ESTATES.	Date of Administration.	Date of Payment.	PAYMENTS.			PARTIES TO WHOM PAID.	
			Government Securities.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.		Cash.
			In Sa. Rs.	In Co.'s Rs.			
S.							
Scott, Private George	{ Taken charge. } { 30 Aug. 1862 }	30 Nov. 1864	0	0	...	49 13 9	Remitted to the India House for payment to Mr. Alexander Sinclair, for payment to Mother and Brothers of the deceased, being the balance of this Estate as per Account closed dated 24th November 1864.
Sewell, Major-General Thomas	19 Feb. 1863	28 July 1864	0	0	...	5875 8 0	Remitted to the India House for payment to Mr. William John Sewell, Mrs. Margaret Rebecca D'Arcy, and Mrs. Augusta Harriett Richards, the Son and Daughters of the deceased, being their respective one-third Share of the balance of this Estate as per Account closed dated 27th July 1864.
Shaw, Conductor George	{ Taken charge. } { 18 Aug. 1863 }	20 Sept. 1864	0	0	...	2094 8 9	Paid to Colonel F. Dunsford, the Executor to the Estate of the late General S. Shaw, the Father and next of kin of the deceased, being the balance of this Estate as per Account closed dated 20th September 1864.
—, Assistant-Surgeon William Joseph	3 Sept. 1863	29 Ditto	0	0	...	1217 13 7	Remitted to the India House for payment to Revd. William Shaw, the Father and next of kin of the deceased, being the balance of this Estate as per Account closed dated 22nd September 1864.
Sheehan, Mrs. Eliza	1 Oct. 1858	22 Oct. 1864	0	0	...	7613 11 7	Paid to Mr. W. O'Brien, the Son of the deceased, being the balance of one third Share of the balance of this Estate as per Account closed dated 30th July 1864.
Smith, George	21 Nov. 1862	20 Dec. 1864	0	0	...	3044 1 4	Paid to Mr. J. Smith, through the Oriental Bank Corporation, being the four-seventh Share of the balance of further Assets of this Estate as per Account closed dated 8th December 1864, to which James Smith, Anne Smith, Elizabeth Smith, and Abigail Smith, the Brothers and Sister of the deceased, are entitled, and paid to him, respectively, under the Power of Attorney from him dated 6th December 1862, and a Joint Power of Attorney from the three other parties abovementioned dated 18th March 1863.

---, Captain Henry	23 Dec. 1863	3 Sept. 1864	0	0	..	955 11 0	Paid to Mrs. M. J. Smith, on account of herself and Child, being the balance of this Estate as per Account closed dated 23rd August 1864.
---, James	3 Sept. 1863	4 Nov. 1861	1800	0	..	20 15 6	Paid and delivered to Messrs. R. Thomas and Company, on Account of their Bond Claim against this Estate, the Government Promissory Note and Cash, being the balance of this Estate as per Account closed dated 27th October 1864.
---, Captain James William	2 May 1863	Ditto	0	0	..	978 1 11	Remitted to the India House for payment to Mrs. Ellen Smith, Mrs. Ann Eliza Macdonald, and Mrs. Margaret Ellen Fort, the Mother and Sisters of the deceased, their respective one-third Share, being the balance of this Estate as per Account closed dated 3rd November 1864.
---, John (of Cachar)	{ Taken charge } 11 Aug. 1863.	31 Aug. 1864	0	0	..	33 6 5	Remitted to the India House for payment to Revd. Thomas Smith, (A M.) the Father and next of kin of the deceased, being the balance of this Estate as per Account closed dated 31st August 1864.
Squires, Mrs. Catherine Elizabeth,--Share Account of L. D. Homfray	7 Nov. 1854	4 July 1864	700	4100	..	249 4 2	Paid and delivered to Mr. P. Homfray, on behalf of Miss L. D. Homfray, as she is attained her majority, the Government Securities and Cash, being the balance of this Estate as per Account closed on the 19th May 1864.
Stowell, Christopher Sweedland,--Share Account of John Alexander Stowell	12 June 1855	18 Ditto	0	0	..	147 3 8	Paid to Mr. John Alexander Stowell, being the balance of this Estate as per Account closed dated 27th June 1864.
---, Share Account of C. W. Stowell	Ditto	9 Aug. 1864	0	0	..	147 3 7	Paid to Mr. C. W. Stowell, being the balance of this Estate as per Account closed dated 27th June 1864.
Thomson, Captain Francis Ringler	12 Jan. 1863	22 July 1864	0	0	..	1470 0 0	Paid to Messrs. Grindlay and Company the aggregate of two sums of Rupees 1,155 and Rupees 315, paid by C. S. Hogg, Esquire, Administrator-General, out of the Funds of the Estate on forged Receipts in the fictitious names of F. D. Bayley and R. M. Low, respectively, as their claims against the Estate, now refunded by the said Administrator-General to the Estate, and paid to them as the constituted Attornies of Mr. J. R. Thomson, Father and next of kin of the deceased.
Turner, William	14 Mar. 1863	10 Nov. 1861	0	2000	..	117 6 8	Transferred to the Share Accounts of J. L. Turner and Miss A. E. Turner, Children of the deceased, being their moiety of the balance of this Estate as per Account closed to 10th November 1864.
Warrings, Mrs. Mary	31 July 1863	14 Ditto	0	0	..	675 5 3	Remitted by Transfer Receipt to Mrs M. A. Kealy, Umritsur, the sole surviving Child of the deceased, being the balance of this Estate as per Account closed to 26th August 1864.

A.

ESTATES.	Date of Administration.	Date of Payment.	PAYMENTS.				PARTIES TO WHOM PAID.
			Government Securities.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Cash.	
			In Sa. Rs.	In Co.'s Rs.			
W. Wheatley, Lieutenant Charles Edward;	19 Nov. 1859	22 July 1864	0	0	...	224 0 2	Paid to Messrs. Colvin, Cowie and Company the amount of the deceased's Share of the second distribution of the Delhi Prize Money, payable to Colonel A. Wheatly, Father of the deceased, and paid to them under his Letter of Authority.
White, Lieutenant-Colonel Humphrey Jervis, of 50th Native Infantry,—Share Account of Miss A. F. J. White	6 May 1860	18 Nov. 1864	0	15400	...	663 0 4	Remitted to the India House for payment to Miss Alicia Francis Jervis White, one of the Daughters of the deceased, her one-third of two-thirds Share of the balance of this Estate as per Account closed to 10th November 1864.
Wilson, Isaac	3 Sept. 1863	25 Aug. 1864	0	0	...	255 10 3	Transferred to the Share Accounts of William and Robert Wilson, Children of the late William Wilson, Brother of the deceased, being their one-sixth Share of the balance of this Estate as per Account closed to 4th July 1864.
							E. E.,

E. E.,

C. S. HOGG,
Administrator-General.CALCUTTA, }
The 31st December 1864.

SCHEDULE B. of all Sums of Money, Bonds, and other Securities received by the Administrator-General on account of Estates not being HINDOO or MAHOMEDAN, remaining under his charge, together with the Payments made thereout and the Balances, prepared up to 31st December 1864, under Section XXXIV. of Act VIII. of 1855.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs.	Co. Rs.	To Credit.	Rs. A. P.	To Debit.	Rs. A. P.	To Credit.	Rs. A. P.	To Debit.	Rs. A. P.	To Credit.	Rs. A. P.	To Debit.	Rs. A. P.	To Credit.	Rs. A. P.	To Debit.	Rs. A. P.	To Credit.	Rs. A. P.
A.	Abbey, Bazar Sergeant Henry	23 Dec. 63	1000	73 10 9	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Adams, George Thomas Price	25 Mar. 67	0	182 4 2	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Henry	23 May 45	8800	0 0 0	341 5 1	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	J. W. Major-General Sir	Under Power	1500	151 1 10	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Agabeg, Aviet	26 June 43	2000	51 14 1	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Lazar (Sugar Merchant)	19 June 39	3600	83 8 7	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Agnew, Major William	11 June 39	700	390 4 4	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Ahern, Sub-Conductor John, — Share Account of the Bro- thers of the deceased	11 May 58	0	822 13 6	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Ahmady, Mrs Mary	12 June 61	1800	116 6 7	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Alexander, Lieutenant John	6 Dec. 43	600	22 1 9	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Allen, Mrs. Ann	22 July 64	0	195 5 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Allsopp, William	22 Feb. 64	500	0 0 0	113 8 11	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Amies, W. E. Harington	10 Mar. 58	0	18 2 1	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Amman, Earnest Dawes R.	14 Dec. 59	0	343 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Anderson, Major John	19 Aug. 58	0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Andlau, Captain the Baron	30 April 63	5†	500 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Ferdinand Von	2 Dec. 62	26300	568 4 1	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
	Andrew, David		0	1897 49 0	5	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0

* Agri and United Service Bank Shares.
† Kumaon Iron Works Company's Shares.

B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.					
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.			
		Sa. Rs. Co. Ps.	To Credit.	Rs. A. P.	To Debit.	Sa. Rs. Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs. A. P. P.	To Credit.	Sa. Rs. Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs. A. P. P.	To Credit.	Sa. Rs. Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs. A. P. P.	To Credit.	Sa. Rs. Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs. A. P. P.	To Debit.	Rs. A. P.	Rs. A. P.
A.																							
Apperley, Lieutenant Herbert, of 6th Native Infantry	24 Sept. 39	2400	112 0 5	0 0 0	0 0 0	0	0	50 8 0	2400	...	162 8 5	0	0	0	0	0	0	0	0	0	0	0	0
Arden, Major Samuel	7 Oct. 23	2700	191 13 8	0 0 0	0 0 0	0	0	56 8 0	2700	...	248 5 8	0	0	0	0	0	0	0	0	0	0	0	0
Argles, Captain V.	(Taken charge)	0	0 0 0	0 0 0	0 0 0	0	0	0 0 0	0	...	0 0 0	0	0	0	0	0	0	0	0	0	0	0	0
Arnott, David	29 Oct. 58	1300	322 9 7	0 0 0	143 13 6	0	0	0 0 0	1300	...	322 9 7	0	0	0	0	0	0	0	0	0	0	0	0
Arrakiel, Johanness Gregory	29 Jan. 58	0	0 0 0	0 0 0	0 0 0	0	0	313 12 0	0	...	169 14 6	0	0	0	0	0	0	0	0	0	0	0	0
Account of Domingo Swarris for Life Interest	Ditto	900	0 11 10	0 0 0	1153 2 3	0	0	24 12 0	900	...	25 7 10	0	0	0	0	0	0	0	0	0	0	0	0
Arakil, Mrs. Begoon Cachick	6 April 36	0	0 0 0	0 0 0	0 0 0	0	0	0 0 0	0	...	0 0 0	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of House No. 10, Armenian Street	Ditto	0	796 10 3	0 0 0	0 0 0	0	0	509 10 0	0	...	1306 4 3	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of House No. 11, Armenian Street	Ditto	0	238 7 6	0 0 0	0 0 0	0	0	159 10 0	0	...	398 1 6	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of House No. 12, Armenian Street	Ditto	0	298 1 4	0 0 0	0 0 0	0	0	80 0 0	0	...	378 1 4	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of House No. 42, Garden Reach	Ditto	0	1864 9 7	0 0 0	0 0 0	0	0	519 12 0	0	...	2384 5 7	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of House No. 1, Lucas Lane	Ditto	500	278 2 6	0 0 0	0 0 0	0	0	209 9 0	500	...	487 11 6	0	0	0	0	0	0	0	0	0	0	0	0
Asiat, Edward Ham	3 Sept. 63	0	123 6 11	0 0 0	0 0 0	0	0	489 0 10	0	...	612 7 9	0	0	0	0	0	0	0	0	0	0	0	0
Aspinall, Henry Augustus, and Mrs. Mary Anne Aspinall	2 Aug. 62	1000	0 0 0	1055 10 8	114 15 0	3500	0	30473 12 0	1000	...	29418 1 4	0	0	0	0	0	0	0	0	0	0	0	0
Aston, William	14 May 63	0	0 0 0	0 0 0	0 0 0	0	0	1155 13 10	0	...	1040 14 10	0	0	0	0	0	0	0	0	0	0	0	0
Astachator, Mrs. Marian	26 Aug. 62	500	0 0 0	1 4 9	0 0 0	0	0	10 0 0	500	...	8 11 3	0	0	0	0	0	0	0	0	0	0	0	0
Astachator Paulus	15 Dec. 48	3200	0 0 0	247 3 9	0 0 0	0	0	816 12 0	3200	...	569 8 3	0	0	0	0	0	0	0	0	0	0	0	0
Athanas, Mrs. Elizabeth	24 Sept. 35	0	144 7 0	0 0 0	0 0 0	0	0	0 0 0	0	...	144 7 0	0	0	0	0	0	0	0	0	0	0	0	0
John	Account one-fifth of the residue	0	15 0 0	0 0 0	0 0 0	0	0	0 0 0	0	...	15 0 0	0	0	0	0	0	0	0	0	0	0	0	0
John, —Share Account of Mrs. Sophia Crane.	24 Sept. 35	800	15 0 0	0 0 0	0 0 0	500	0	0 0 0	800	...	15 0 0	0	0	0	0	0	0	0	0	0	0	0	0
Manual	31 Jan. 49	32200	77 14 11	0 0 0	0 0 0	0	0	702 1 1	32700	...	780 0 0	0	0	0	0	0	0	0	0	0	0	0	0

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ESTATES.

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B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs.	Co. Rs.	To Credit.	Rs. A. P.	Sa. Rs.	Co. Rs.	To Debit.	Rs. A. P.	Sa. Rs.	Co. Rs.	To Debit.	Rs. A. P.	Sa. Rs.	Co. Rs.	To Debit.	Rs. A. P.	Sa. Rs.	Co. Rs.	To Debit.	Rs. A. P.
B.	8 Sept. 59	0	500	46 1 10	0 0 0	0	0	...	12 8 0	0	500	58 9 10	0 0 0	0	0	0 9 0	58 0 10	0	0	0 0 0	0 0 0
Blanchard, Robert	20 Dec. 62	0	2800	0 0 0	2935 2 0	0	0	...	2519 15 0	0	2800	0 0 0	0 0 0	0	0	2588 13 10	0 0 0	0	0	0 0 0	0 0 0
Blundell, William																					
Blyth, Daniel T.,—Share Ac-																					
count of Wm. E. Blyth																					
and Margaret Blyth, Bro-																					
ther and Sister of the de-																					
ceased	12 Jan. 61	0	500	0 0 0	20 4 6	0	0	...	10 0 0	0	500	0 0 0	0 0 0	0	0	0 8 10	0 0 0	0	0	10 13 4	0 0 0
Boileau, Major-General Alex-	27 Feb. 63	0	13500	151 8 2	0 0 0	0	0	...	20831 5 5	0	13500	20982 13 7	0 0 0	0	0	20982 13 7	0 0 0	0	0	0 0 0	0 0 0
ander Henry Edmonstone																					
Share Account of M.																					
H. Boileau and A. C. T.																					
Boileau, Children of Mrs.																					
M. G. Cadell and Mrs. C.																					
B. Nicholl, Daughter of the																					
deceased by a former mar-																					
riage	Ditto																				
Bond, George,—Share Account																					
of Miss C. Bond, now Mrs.																					
A. Andre	15 Aug. 42	0	1100	19 5 8	0 0 0	0	0	...	1046 12 21	0	1100	1066 2 7	0 0 0	0	0	6 13 5	1059 5 2	0	0	0 0 0	0 0 0
Bonong Edward	9 Aug. 58	0	7800	319 14 1	0 0 0	0	0	...	198 12 0	0	7800	548 10 1	0 0 0	0	0	8 11 9	539 14 4	0	0	0 0 0	0 0 0
Bontain, Captain James	29 May 57	0	4000	294 14 10	0 0 0	0	0	...	80 0 0	0	4000	374 14 10	0 0 0	0	0	232 12 3	142 2 7	0	0	0 0 0	0 0 0
Bordien, Mrs. Harriet	24 Nov. 58	0	0	7 7 0	0 0 0	0	0	...	0 0 0	0	0	7 7 0	0 0 0	0	0	0 0 0	7 7 0	0	0	0 0 0	0 0 0
Boncot, Auguste	Taken charge.																				
Bourcier, Lieutenant P., of	15 Aug. 64	0	0	331 0 9	0 0 0	0	0	...	30 1 6	0	0	361 2 3	0 0 0	0	0	15 14 10	345 3 5	0	0	0 0 0	0 0 0
50th N. I.	Taken charge.																				
Bowers, Mrs. Joanna,—Legacy	8 Sept. 49	0	700	318 6 9	0 0 0	0	0	...	14 0 0	0	700	332 6 9	0 0 0	0	0	0 6 0	332 0 9	0	0	0 0 0	0 0 0
Account of the Roman																					
Catholic Church of Nossa																					
Senhora de Doreas at																					
Boitukhanah	8 July 62	0	500	12 2 0	0 0 0	0	0	...	12 8 0	0	500	24 10 0	0 0 0	0	0	12 8 0	12 2 0	0	0	0 0 0	0 0 0

* Sundry Shares.

† Agra Bank Shares.

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B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs.	Co. Rs.	To Credit.	To Debit.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.
C.	Carroll, Assistant Farrier and Saddler Sergeant Patrick ...	0	1200	0	0	0	0	39	0	0	0	1200	...	0	0	0	0	0	0	0	0
	Cartier, Lieutenant Henry ...	0	1200	163	4	0	0	1822	11	11	0	1800	...	0	0	1800	...	0	0	1989	0
	Carter, Thomas ...	1000	45600	0	0	0	0	3304	14	4	1000	45600	...	0	0	29000	...	1000	16600	0	0
	Legacy Account of Mrs. Eliza Cartier, Widow of the deceased ...	0	21200	87	6	0	0	528	4	0	0	21200	...	0	0	0	0	0	0	31	8
	Cathrae, Andrew ...	0	0	0	0	0	0	1000	0	0	0	800	...	0	0	0	0	0	0	873	11
	Cattermole, Lieutenant Ernest George ...	0	1000	49	4	3	0	937	0	4	0	1000	...	0	0	1000	...	0	0	1006	4
	Caulfield, Major John Palmer ...	0	0	10228	10	5	0	0	0	0	0	10000	...	0	0	0	0	0	0	10148	4
	Caunter, Richard ...	600	0	239	0	1	0	12	12	10	600	0	...	0	0	0	0	0	0	0	6
	Cawley, Catherine (a Lunatic) ...	0	17000	7	7	1	0	874	10	0	0	17000	...	0	0	0	0	0	0	874	15
	Cawood, Charles ...	0	0	0	0	0	0	1	0	0	0	0	...	0	0	0	0	0	0	1	0
	Chalmers, Lieutenant John ...	0	0	175	1	9	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0
	Chaplin, Joseph ...	0	700	11	11	5	0	14	0	0	0	700	...	0	0	0	0	0	0	1	1
Chapman, Lieutenant Henry Howard ...	0	0	0	0	0	0	2531	14	2	0	2300	...	0	0	0	0	0	0	2266	11	
Mrs. Patience Elizabeth ...	0	0	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	
Chase, Capt. Dormer Augustus ...	0	3100	339	15	7	0	78	12	0	0	3100	...	0	0	0	0	0	0	63	15	
Chayne, Surgeon George McCartney ...	0	0	59	2	5	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	
Chiene, John ...	0	0	280	13	10	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	
Childs, Captain Richard Hutchinson ...	0	1000	428	12	1	0	20	0	0	0	1000	...	0	0	0	0	0	0	1	9	
Share Account of Miss E. A. Childs, Daughter of the deceased ...	2900	2500	0	0	0	0	5342	4	11	0	2600	...	0	0	2600	...	0	0	5300	5	
Chinniaux, Jean Piere ...	0	0	0	0	0	0	2596	5	3	0	0	...	0	0	0	0	0	0	0	0	
Christian, Lieut. Andrew ...	0	7200	417	3	11	0	263	4	0	0	7700	...	0	0	0	0	0	0	685	3	
William ...	0	0	124	8	2	0	21	0	0	0	0	...	0	0	0	0	0	0	145	8	

ESTATES.

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B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.
D.																					
DeSilva, Mathew	3 Dec. 45	0	0	31 7 3	0 0 0	0	0	0	0	0	0	0	0	0	0	31 7 3	0 0 0	0	0	0	0
Dalton, Lieutenant-Colonel	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	0	0
Dennis Harman	11 Nov. 39	1300	7200	993 0 4	0 0 0	800	0	3096 6 4	0 0 0	1300	7200	131*	4089 6 8	0	0	3875 14 4	0 0 0	1300	8000	213 8 4	0 0 0
Daniell, Lieut. Charles Astell	23 April 56	0	0	0 0 0	0 0 0	0	0	248 4 4	0 0 0	0	0	...	248 4 4	0	0	0 0 0	0 0 0	0	0	248 4 4	0 0 0
man, Asst. Surgeon Hick-	...	0	0	0 0 0	0 0 0	0	0	5 0 0	0 0 0	0	0	20†	5 0 0	0	0	0 0 0	0 0 0	0	0	5 0 0	0 0 0
man, Asst. Surgeon Hick-	12 Jan. 63	0	0	0 0 0	0 0 0	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...
man, Rose,--Share Account	...	0	1100	162 1 4	0 0 0	0	0	1235 6 11	0 0 0	0	1100	...	1397 8 3	0	1100	1397 8 3	0 0 0	0	0	0 0 0	0 0 0
of Mrs. Lucy K. Armstrong	Ditto	0	0	1441 15 11	0 0 0	0	0	0 0 0	0 0 0	0	0	...	1441 15 11	0	0	1441 15 11	0 0 0	0	0	0 0 0	0 0 0
man, Rose,--Share Account	Ditto	0	0	120 3 11	0 0 0	0	0	1249 13 4	0 0 0	0	1100	...	1370 1 3	0	1100	719 15 3	0 0 0	0	0	650 2 0	0 0 0
of Miss Louisa Susanna Daniell	Ditto	0	1100	393 7 4	0 0 0	0	0	200 8 6	0 0 0	0	0	...	593 15 10	0	0	200 5 8	0 0 0	0	0	393 10 2	0 0 0
man, Rose,--Share Account	20 April 57	9400	0	227 7 6	0 0 0	0	0	0 0 0	0 0 0	0	0	...	227 7 6	0	0	227 7 6	0 0 0	0	0	0 0 0	0 0 0
of the late Mrs. Fleming	31 Aug. 58	0	0	0 0 0	45 10 11	0	0	12 8 0	0 0 0	0	0	...	0 0 0	0	0	0 0 0	0 0 0	0	0	0 0 0	0 0 0
Dartnell, Dr. Nelson,--Account	5 Dec. 63	0	500	566 7 7	0 0 0	500	0	0 0 0	0 0 0	0	0	...	566 7 7	0	0	495 5 11	0 0 0	500	500	71 1 8	0 0 0
of the Trustees under the	30 Mar. 64	0	0	12 12 11	0 0 0	0	0	284 5 11	0 0 0	0	0	...	297 2 10	0	0	19 4 3	0 0 0	0	0	277 14 7	0 0 0
Will	17 May 64	0	0	129 6 2	0 0 0	0	0	13 12 0	0 0 0	0	0	...	148 2 2	0	0	0 6 0	0 0 0	0	0	142 12 2	0 0 0
Davidson, Ensign John Tierney	27 Sept. 57	500	0	247 4 7	0 0 0	0	0	2860 1 2	0 0 0	0	1500	...	3107 5 9	1000	1500	3107 5 9	0 0 0	0	0	0 0 0	0 0 0
Isaac	30 June 63	1000	1500	70 12 1	0 0 0	0	0	1647 2 8	0 0 0	0	0	...	1717 14 9	0	0	631 3 9	0 0 0	0	0	1086 11 0	0 0 0
Capt. Hugh Murray	3 July 48	6500	72000	79 7 2	0 0 0	0	0	405 8 0	0 0 0	0	0	...	484 15 2	0	0	32 4 5	0 0 0	6500	72000	452 10 9	0 0 0
Capt. John Paton	13 Mar. 33	0	20100	249 6 6	0 0 0	0	0	0 0 0	0 0 0	0	0	...	249 6 6	0	0	0 0 0	0 0 0	0	0	249 6 6	0 0 0
Davis, Miss Mary	1 Dec. 62	0	0	660 14 1	0 0 0	0	0	5 0 0	0 0 0	0	0	...	665 14 1	0	0	0 0 0	0 0 0	0	0	665 14 1	0 0 0
Salivan Francis	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...
Deeder, Edward,--Share Ac-	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...
count of George Desdes	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...
Delamain, Lieut.-Col. James	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...
Dennison, Mrs. Jane Louisa	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...
Dennis, Lieut.-Colonel George	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...
Gladwin	30 Aug. 62	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...	0	0	...	...

* Bank of Bengal Shares.
† East India Steam Navigation Company's Shares.

Name	Date	Share	Amount	Balance	Interest	Dividend	Total
Denton, Miss Mary Hallier,	29 May 49	3100	...	...	...	...	...
Life Interest of Bebee Pennah	22 Feb. 42	500	...	...	...	...	...
Depetida, Ventura	28 April 60	1800	...	...	...	...	...
Depstall, Mrs. Elizabeth	20 Sept. 64	2300	...	...	...	...	...
Devise, Capt. J.	23 Jan. 46	...	...	...	...	...	...
Dick, Lieut.-Colonel George	28 Sept. 64	...	...	...	...	...	...
Dickens, James D.	29 July 59	...	...	...	...	...	...
Lieut. Thomas Eden	29 Nov. 41	...	...	...	...	...	...
Alexander Lockart	...	...	...	...	...	...	...
Dillon, Park Sergt. James	...	...	...	...	...	...	...
Dixie, Sergeant John O. B.	...	...	...	...	...	...	...
Dodsworth, Henry Thomas	...	...	...	...	...	...	...
Doeg, Harry Franklin	...	...	...	...	...	...	...
Douthorne, James Henry	...	...	...	...	...	...	...
Donnelly, Edward	...	...	...	...	...	...	...
Dopping, Assistant Surgeon Anthony	...	...	...	...	...	...	...
Drayle, Sergeant John	...	...	...	...	...	...	...
Driver, Sergeant George	...	...	...	...	...	...	...
Dubordieu, Alexander	...	...	...	...	...	...	...
Account for the repairs of his Monument	...	...	...	...	...	...	...
Charles, Share	...	...	...	...	...	...	...
Account of Alexander John Shaw Dubordieu	...	...	...	...	...	...	...
Alexander, Share	...	...	...	...	...	...	...
Shaw Dubordieu	...	...	...	...	...	...	...
Charles, James Collet Dubordieu	...	...	...	...	...	...	...
Dunbar, Capt. Rothes Lennox	...	...	...	...	...	...	...
Duncan, Lieut. and Brevet-Captain H. H.	...	...	...	...	...	...	...
E.	...	...	...	...	...	...	...
Eales, Captain Edward Daniel Oliver	...	...	...	...	...	...	...
Share	...	...	...	...	...	...	...
Account of Mr. Edward Eales	...	...	...	...	...	...	...
Earle, Hosp. Steward Charles	...	...	...	...	...	...	...
Kelford, Ensign Robert, of 10th Native Infantry	...	...	...	...	...	...	...
Edwards, Lewis, Share Account of the Children of the deceased	...	...	...	...	...	...	...

* Agra and United Service Bank Shares.

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ESTATES.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.
G.																					
Garbett, Col. Hubert.—Share Account of Jessie C. Garbett of ...	8 Sept. 59	0	1200	...	156	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Louisa F. E. Garbett ...	Ditto	0	1200	...	156	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Garner, Assistant-Surgeon Hartwell Samuel ...	22 Dec. 58	0	25100	...	264	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Elizabeth Mary Garner, only child of the deceased ...	Ditto	0	0	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Garrett, Robert Birch.—Share Account of Mrs. H. E. Garrett	24 Aug. 57	0	37200	...	820	5	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0
V. Garrett	Ditto	0	15700	...	405	5	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0
M. Garrett	Ditto	0	15700	...	405	5	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mrs. Ellen	22 Dec. 58	0	0	...	0	0	0	1	5	9	0	0	0	0	0	0	0	0	0	0	0
Edward	Ditto	0	0	...	25	10	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gasper, Mrs. Eribima Sookas	28 Oct. 41	0	500	...	187	2	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gawen, Revd. James	2 April 57	0	13500	...	0	0	0	63	7	9	0	0	0	0	0	0	0	0	0	0	0
Emily Gawen, only child of the deceased	Ditto	0	0	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
George, John Edward	19 Aug. 56	0	800	...	337	4	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gibb, Sergeant William	...	0	0	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gibbon, Captain W. M.	23 Dec. 63	0	1000	...	855	4	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Giblin, John.—Share Account of a son	15 Aug. 61	0	3000	...	329	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gibson, Robert, Senior.	11 May 48	0	500	...	457	3	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gifford, John	28 Sept. 64	0	0	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Giles, Thomas	10 Nov. 57	0	0	...	0	0	0	5	6	0	0	0	0	0	0	0	0	0	0	0	0
Glasgow, Eliza	5 April 64	0	0	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Henrietta	Ditto	0	0	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.		Cash.		
		Sa. Rs.	Co. Rs.	Rs. A. P.	To Credit.		Rs. A. P.	To Debit.	Sa. Rs.	Co. Rs.		Rs. A. P.	To Credit.	Sa. Rs.	Co. Rs.		Rs. A. P.	To Debit.			
																			Rs. A. P.	To Credit.	Rs. A. P.
II.																					
Hildebrand, Lieut. E. H. {	Taken charge 5 Dec. 59	0	0	...	945 7 5	0 0 0	900	...	832 3 11	0	900	...	1777 11 4	0	900	...	1777 11 4	0	0	...	
Hill, Mrs. Mary Anne, —																					
Legacy Account of George Punjab Creed	8 May 63	0	500	...	99 3 7	0 0 0	0	...	13 12 0	0	500	...	112 15 7	0	0	...	0 9 3	0	500	...	
Frederick Janson	Ditto	0	500	...	98 3 7	0 0 0	0	...	13 12 0	0	500	...	111 15 7	0	0	...	0 9 3	0	500	...	
George Major William Hillersdon, Major William Reads, — Legacy to Fanny Waterfield	1 Dec. 64	0	0	...	0 0 0	0 0 0	19707 108700	...	2810 13 10	19707 108700	19707 108700	...	2810 13 10	0	0	...	8627 5 0	19707 108700	0 0 0	5816 7	
Hodson, Lieut. Vernon James Hollings, Captain and Brevet Major George Edward Holmes, J.	27 April 58	0	5500	...	382 12 4	0 0 0	0	...	250 0 0	0	5500	...	532 12 4	0	0	...	6 14 11	0	5500	...	
Holroyd, Henry	30 Mar. 64	0	0	...	0 0 0	91 12 0	1500	...	2471 12 0	0	1500	...	2380 0 0	0	0	...	1547 2 5	1500	0	...	
Mrs. Elizabeth Grey	10 Sept. 58	0	1500	...	369 15 10	0 0 0	0	...	637 8 0	0	1500	...	1007 7 10	0	0	...	601 6 8	0	1500	...	
Share Account of	16 June 63	0	2800	...	0 0 0	654 4 4	0	...	2715 10 4	0	2800	...	2061 6 0	0	2800	...	347 9 2	0	0	...	
Mrs. Elizabeth Grey	14 Nov. 59	0	0	...	111 3 5	0 0 0	0	...	2291 12 0	0	0	...	2402 15 5	0	0	...	2402 15 5	0	0	...	
Henry Graham Taylor	Ditto	0	4500	...	75 0 3	0 0 0	0	...	583 2 7	0	4500	...	658 2 10	0	0	...	2 5 0	0	4500	...	
Holt, Mrs. Jane	Ditto	0	4500	...	67 15 0	0 0 0	0	...	613 2 6	0	4500	...	681 1 6	0	0	...	6 6 0	0	4500	...	
Hottelinger, Apothecary Fredk.	13 Mar 60	0	500	...	1199 12 0	0 0 0	0	...	10 0 0	0	500	...	1209 12 0	0	0	...	855 4 2	0	500	...	
Legatees	15 Dec. 60	0	0	...	0 0 0	164 6 2	0	...	0 0 0	0	0	...	0 0 0	0	0	...	0 0 0	0	0	...	
Houston, Lieutenant Alexander Cruikshank	Ditto	0	0	...	25 10 5	0 0 0	0	...	0 0 0	0	0	...	25 10 5	0	0	...	0 0 0	0	0	...	
Howaness, Mrs. Marian alias Bebee Bailey	2 April 56	0	3100	...	317 6 1	0 0 0	0	...	177 8 0	0	3100	...	494 14 1	0	0	...	3 6 7	0	3100	...	
Howard, Mrs. Isabella	28 Nov. 48	0	19300	...	787 6 8	0 0 0	700	...	776 10 0	0	20000	...	1564 0 8	0	0	...	792 6 1	0	20000	...	
William	17 Sept. 64	0	0	...	0 0 0	0 0 0	0	...	801 12 10	0	0	...	801 12 10	0	0	...	150 6 5	0	0	...	
	...	0	0	...	0 0 0	0 0 0	0	...	149 13 0	0	0	...	149 13 0	0	0	...	90 7 1	0	0	...	
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	...	0	0	...				...				...				...				...	
	...	0																			

* Bonded Ware-house Association Shares.

† Calcutta Steam Tug Association Shares.

‡ Universal Life Assurance Shares.

B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.	Sa. Rs. Co. Rs.	Rs. A. P.	To Credit.	To Debit.
J.																					
Jackson, Mrs. Elizabeth	17 Oct. 37	0	2000	97 6 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	40 0 0	0 0 0	0	0 0 0	137 6 0	0 0 0	0	0 0 0	3 2 0	0 0 0
Sir Mount Stuart	19 May 58	0	1200	43 14 8	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	67 14 8	0 0 0	0	0 0 0	242 10 9	0 0 0	0	0 0 0	0 15 9	0 0 0
Lieut. Phillip Hays	18 May 58	0	400	135 1 9	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	107 9 0	0 0 0	0	0 0 0	307 8 0	0 0 0	0	0 0 0	242 10 9	0 0 0
Lieut. Stewart Hare	9 May 59	0	500	270 0 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	37 8 0	0 0 0	0	0 0 0	889 13 8	0 0 0	0	0 0 0	1 11 0	0 0 0
Dr. William, Account of the Executor and	12 Mar. 58	0	2500	357 13 8	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	512 0 0	0 0 0	0	0 0 0	417 2 11	0 0 0	0	0 0 0	863 1 2	0 0 0
Executrix under his Will	14 July 34	0	4500	322 2 11	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	95 0 0	0 0 0	0	0 0 0	4437 0 5	0 0 0	0	0 0 0	7 9 0	0 0 0
Serjeant William	28 April 62	0	4000	182 10 1	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	4251 6 0	0 0 0	0	0 0 0	222 11 3	0 0 0	0	0 0 0	4437 0 5	0 0 0
Captain Francis Constable	18 May 58	0	0	0 0 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	222 11 3	0 0 0	0	0 0 0	1 9 1	0 0 0	0	0 0 0	0 0 0	0 0 0
Lieutenant Phillip Hayes, Share Account of	20 June 59	0	0	1 9 1	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	14 0 0	0 0 0	0	0 0 0	451 8 2	0 0 0	0	0 0 0	1 1 2	0 0 0
Mrs. Rose and Erice Sutherland Jackson	1 Oct. 54	0	700	437 8 2	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0 0 0	0 0 0	0	0 0 0	136 13 3	0 0 0	0	0 0 0	2 5 2	0 0 0
James, Mrs. M.	15 June 60	0	1600	96 13 3	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	40 0 0	0 0 0	0	0 0 0	1274 2 8	0 0 0	0	0 0 0	1490 0 0	0 0 0
Susan	Ditto	0	0	0 0 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	1490 0 0	0 0 0	0	0 0 0	410 4 11	0 0 0	0	0 0 0	1 1 2	0 0 0
Jameson, James Wardrop, Share Account of the Deceased	5 April 47	0	74500	396 4 11	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	14 0 0	0 0 0	0	0 0 0	462 4 8	0 0 0	0	0 0 0	12 15 4	0 0 0
Jameson, Dr. James, Account of the Executor and Executrix under the Will	23 Dec. 63	0	1700	0 0 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	755 15 0	0 0 0	0	0 0 0	6676 9 10	0 0 0	0	0 0 0	6676 9 10	0 0 0
James, Charles William	2 Feb. 58	0	5600	408 8 11	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	6268 0 11	0 0 0	0	0 0 0	1898 11 11	0 0 0	0	0 0 0	357 12 5	0 0 0
Jacquies, W. H.	Ditto	0	6100	275 14 9	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	1622 13 2	0 0 0	0	0 0 0	1479 5 2	0 0 0	0	0 0 0	0 0 0	0 0 0
Jennings, Revd. Midgley John	Ditto	0	0	0 0 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	1479 5 2	0 0 0	0	0 0 0	0 0 0	0 0 0	0	0 0 0	0 0 0	0 0 0
Share Account of Miss E. Jennings	Ditto	0	0	0 0 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0 0 0	0 0 0	0	0 0 0	0 0 0	0 0 0	0	0 0 0	0 0 0	0 0 0
Share Account of R. M. Jennings	Ditto	0	0	0 0 0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0 0 0	0 0 0	0	0 0 0	0 0 0	0 0 0	0	0 0 0	0 0 0	0 0 0

* Great Eastern Hotel Company's Shares

[illegible]

B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.									
		Government Securities.		Cash.		Government Securities.	Cash.		Government Securities.	Cash.		Government Securities.	Cash.		Government Securities.	Cash.		Government Securities.	Cash.		Government Securities.	Cash.		To Debit.	Rs. A. P.	Rs. A. P.	
		Sa. Rs.	Co. Rs.	To Credit.	To Debit.		Rs. A. P.	Rs. A. P.		Sa. Rs.	Co. Rs.		Rs. A. P.	Rs. A. P.		Sa. Rs.	Co. Rs.		Rs. A. P.	Sa. Rs.		Co. Rs.	Rs. A. P.				Rs. A. P.
K.	Keddie, Color Sergeant James	20 Dec. 64	0	0	...	0 0 0	0 0 0	0	0	...	678 4 6	0	0	...	678 4 6	0	0	...	69 0 8	0	0	...	609 3 10	0	0	...	
	Keelan, Mrs. Eliza, L.—Share	...	0	0	...	...	...	0	0	...	...	...	0	0	...	...	...	0	0	...	...	...	...	...	...	...	
	Account of William Brophy and Robert Luke Keelan	22 July 61	0	1300	...	108 7 11	0 0 0	0	0	...	32 8 0	0	0	...	140 15 11	0	0	...	182 7 7	0	0	...	0 0 0	0	0	...	
	Kelly, Dr. John.—Share Account of Miss L. Kelly	29 June 30	0	1500	...	165 4 6	0 0 0	0	0	...	33 12 0	0	0	...	199 0 6	0	0	...	2 9 0	0	0	...	126 7 6	0	0	...	
	Kemp, Henry Chapman	7 Aug. 54	0	500	...	174 0 10	0 0 0	0	0	...	10 0 0	0	0	...	184 0 10	0	0	...	0 4 0	0	0	...	183 12 10	0	0	...	
	Kendall, Captain Bernard	1 May 48	0	500	...	0 0 0	11 13 9	0	0	...	10 0 0	0	0	...	0 0 0	0	0	...	0 12 0	0	0	...	0 0 0	0	0	...	
	Kennedy, Lt. Edwd. Saunders	8 Feb. 53	1200	0	...	0 0 0	8 11 11	0	0	...	25 9 7	1200	0	...	16 13 8	0	0	...	0 12 0	0	0	...	16 1 8	0	0	...	
	Kent, Lieut.—Col. Robert	3 April 49	0	7600	...	0 0 0	8 15 4	0	0	...	152 0 0	0	0	...	64 0 8	0	0	...	192 1 7	0	0	...	0 0 0	0	0	...	
	Keough, Mrs. Esther	...	0	500	...	0 0 0	7 7 0	0	0	...	0 0 0	0	0	...	0 0 0	0	0	...	0 0 0	0	0	...	0 0 0	0	0	...	
	Ker, Lieut. Hugh Inglis	19 May 19	0	500	...	146 15 5	0 0 0	0	0	...	12 8 0	0	0	...	159 7 5	0	0	...	1 0 0	0	0	...	158 7 5	0	0	...	
	Kerridge, Israel	20 Dec. 64	0	0	...	0 0 0	0 0 0	0	0	...	129 12 0	0	0	...	129 12 0	0	0	...	135 3 6	0	0	...	0 0 0	0	0	...	
	Kidby, Charles.—Legacy Account of Mrs. E. Quinnell	4 Aug. 53	0	1200	...	66 4 4	0 0 0	0	0	...	24 0 0	0	0	...	90 4 4	0	0	...	206 10 0	0	0	...	0 0 0	0	0	...	
	King, Thomas	17 Jan. 60	0	0	...	200 12 8	0 0 0	0	0	...	0 0 0	0	0	...	200 3 8	0	0	...	0 0 0	0	0	...	200 13 8	0	0	...	
	Kirk, A. K.	22 July 58	0	1500	...	57 1 2	0 0 0	0	0	...	42 8 0	0	0	...	99 9 2	0	0	...	1 11 0	0	0	...	97 14 2	0	0	...	
	Kirk, Mrs. Charlotte Louisa	14 Jan. 64	0	0	...	117 7 6	0 0 0	0	0	...	0 0 0	0	0	...	117 7 6	0	0	...	117 7 6	0	0	...	0 0 0	0	0	...	
	Kirke, Lieutenant St. George Knight, Assistant Surgeon Richard Chalmer	19 July 64	0	0	...	0 0 0	0 0 0	0	0	...	1198 2 5	0	0	...	1198 2 5	0	0	...	96 1 11	0	0	...	1102 0 6	0	0	...	
	Knipe, William Henry	10 Oct. 60	0	1900	...	0 0 0	19 8 11	0	0	...	174 10 0	0	0	...	155 1 1	0	0	...	5 15 10	0	0	...	149 1 3	0	0	...	
	Kniss, Revd. Frederick Augustus	17 Dec. 63	0	0	...	248 1 3	0 0 0	0	0	...	0 0 0	0	0	...	248 1 3	0	0	...	0 0 0	0	0	...	248 1 3	0	0	...	
	Share Account of the Children	12 Sept. 64	0	0	...	0 0 0	0 0 0	0	0	...	418 4 5	0	0	...	418 4 5	0	0	...	13 6 2	0	0	...	404 14 3	0	0	...	
		11 June 58	0	2900	...	19 5 6	0 0 0	0	0	...	59 8 0	0	0	...	79 13 6	0	0	...	79 13 6	0	0	...	0 0 0	0	0	...	
		Ditto	0	0	...	0 0 0	0 0 0	0	0	...	33 3 11	0	0	...	33 3 11	0	0	...	0 0 0	0	0	...	33 3 11	0	0	...	

† East India Coal Company's Shares.

* Deyrah Doon Tea Company's Shares.

† East India Coal Company's Shares.

Kyte, Henry	...	31 July 54	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
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ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs.	Co. Rs.	To Credit.		Sa. Rs.	Co. Rs.	To Debit.		Sa. Rs.	Co. Rs.	To Credit.		Sa. Rs.	Co. Rs.	To Credit.		Sa. Rs.	Co. Rs.	To Debit.	
				Rs.	A. P.			Rs.	A. P.			Rs.	A. P.			Rs.	A. P.			Rs.	A. P.
M.																					
Molloy, Robert	23 Feb. 63	0	2000	1*	511 4 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Montcrieff, Revd. E. T. R.	21 Sept. 58	0	2000	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Montgomery, Lieut.-Col. Geo. James	20 Feb. 61	0	0	...	95 9 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Montreux, Mrs. Roza Frances	30 June 36	700	500	...	0	0	0	9 8 4	0	0	0	0	0	0	0	0	0	0	0	0	0
Moore, Mrs. Catherine Ann	4 Nov. 58	0	0	...	0	0	0	1955 11 10	0	0	0	0	0	0	0	0	0	0	0	0	0
Account of Legacy for Mary Norah Best	Ditto	0	9000	...	35 2 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Life Interest for Mrs. F. E. Harper	Ditto	0	4000	...	2080 13 7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mrs. Constance M. O.	28 Mar. 57	0	2300	...	59 2 7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Revd. John James	29 Oct. 49	0	800	...	554 4 8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mrs. Susan	15 Feb. 43	3000	2100	...	498 14 7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Asst.-Surgeon Thomas	22 July 58	0	31700	...	0	0	0	358 12 11	0	0	0	0	0	0	0	0	0	0	0	0	0
William Robert	3 July 54	0	800	...	839 7 11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
William Richard	19 Aug. 57	0	0	...	11 5 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
William Jenkins	14 May 63	0	0	...	175 7 11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moran, Daniel	31 Oct. 25	600	0	...	240 6 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Morgan, Dr. Nathaniel	11 Sept. 49	0	10400	...	120 2 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Morinet, Alphonse Remi	18 Sept. 60	0	12500	...	0	0	0	572 3 5	0	0	0	0	0	0	0	0	0	0	0	0	0
Morin, Revd. A. P.	3 Oct. 61	0	500	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Morris, Thomas	Taken charge	0	0	...	125 6 6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Serjeant Robert	17 June 64	0	0	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Morrison, John	24 April 60	0	0	...	391 9 0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moseley, Captain Herbert	11 July 63	0	0	...	880 15 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mosley, Lieutenant William Fielden	17 May 64	0	0	...	145 13 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mose, P. T.	25 Feb. 40	1300	3500	...	434 8 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Moulinie, M. H. F.	23 Jan. 64	0	500	...	0	0	0	77 10 10	0	0	0	0	0	0	0	0	0	0	0	0	0

* Gauge Steam Navigation Company's Debenture for Rupees 10,000.

Murray, Dr. Andrew	23 Jan. 61	6825	1300	...	181 5 7	6825	1800	...	941 8 2	...	503 6 5	6825	1800	...	438 1 9	...	0 0 0
Lieut. Basil Hamilton, of 43rd Light Infantry	23 Oct. 49	0	700	...	11 0 0	0	700	...	0 0 0	...	0 6 0	0	700	...	0 0 0	...	51 11 7
Muscott, W. H.	28 Sept. 61	0	0	...	433 6 2	0	0	...	423 6 2	...	107 1 6	0	0	...	316 4 8	...	0 0 0
Muston, William Pitt	22 Dec. 59	0	0	...	0 0 0	0	0	...	204 3 2	...	0 0 0	0	0	...	204 3 2	...	0 0 0
N.																	
Nagle, Gunner John,—Inter est Account of Mrs. J.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nagle, Widow of the de- ceased	17 June 63	0	2000	...	50 0 0	0	2000	...	403 11 10	...	50 0 0	0	2000	...	353 11 10	...	0 0 0
Napier, Mrs. Jane Collie,— Share Account of Miss Jane	9 Mar. 58	200	17000	...	382 10 8	2000	20800	...	4203 15 1	...	4131 6 11	2000	20800	...	72 8 2	...	0 0 0
Nash, Mrs. Mary (alias Bebee Biddulph)	19 Nov. 50	0	5200	...	109 0 0	0	5200	...	441 11 2	...	3 1 0	0	5200	...	438 10 2	...	0 0 0
Naylor, Charles Theophilus Metcalfe	15 April 63	0	0	...	199 15 0	0	0	...	1051 12 4	...	1052 2 4	0	0	...	0 0 0	...	0 6 0
Need, Walter Wardsell	23 Feb. 58	0	3100	...	77 8 0	0	3100	...	307 4 7	...	3 6 7	0	3100	...	303 14 0	...	0 0 0
Neish, Patrick	4 Dec. 41	0	700	...	14 0 0	0	1200	...	468 0 4	...	482 5 7	0	1200	...	0 0 0	...	14 5 3
Nelson, Vety. Surgeon Vincent	28 May 58	0	500	...	12 8 0	0	500	...	121 7 0	...	0 9 0	0	500	...	120 14 0	...	0 0 0
Nepcan, Captain Evan Philip	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nighman	17 July 54	0	600	...	12 0 0	0	600	...	439 6 0	...	0 4 0	0	600	...	439 2 0	...	0 0 0
Neurville, Jules Thomas	4 Dec. 61	0	0	...	4097 8 3	0	0	...	4111 9 5	...	4111 9 5	0	0	...	0 0 0	...	0 0 0
Nicholson, Lieut.-Col. John	17 Mar. 58	0	0	...	1333 3 9	0	0	...	1333 3 9	...	1333 3 9	0	0	...	0 0 0	...	0 0 0
Nicholson, Captain Charles	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Johnson	5 Feb. 63	0	0	...	3195 7 3	0	1600	...	3195 7 3	...	3158 3 11	0	1600	...	37 3 4	...	0 0 0
Mrs. Micala	6 Sept. 64	0	0	...	629 1 10	0	0	...	629 1 10	...	356 13 7	0	0	...	272 4 3	...	0 0 0
House No. 14, Ennabang 2nd Lane	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Thomson	5 Feb. 62	0	0	...	0 0 0	0	0	...	0 0 0	...	33 7 3	0	0	...	0 0 0	...	33 7 3
Niroll, James	12 June 51	0	12500	...	291 8 0	0	12500	...	298 8 1	...	0 0 0	0	12500	...	298 8 1	...	0 0 0
Nightingale, Assistant Sur- geon Manby	1 Oct. 50	0	0	...	483 11 6	0	500	...	1150 9 9	...	1150 9 9	0	500	...	0 0 0	...	0 0 0
Nightingall, Genl. Sir Miles	27 Oct. 34	4200	5500	16*	3854 0 1	4200	11100	16*	5613 0 6	...	5662 6 8	4200	11100	16*	0 0 0	...	49 6 2
Nolan, Mrs. Isabella C.,— Share Account of Anna Maria	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Hackett, Arthur Herbert	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nolan, and Allen Earnest	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nolan, Children of the de- ceased	23 Nov. 61	0	500	...	12 8 0	0	500	...	36 8 2	...	74 8 0	0	500	...	0 0 0	...	37 15 10
Norris, Ensign John Sharpin	30 Mar. 64	0	0	...	572 1 7	0	500	...	572 1 7	...	495 6 0	0	500	...	76 11 7	...	0 0 0
Northam, Miss Ann	19 June 62	0	1500	...	73 6 3	0	1500	...	108 6 3	...	1 8 5	0	1500	...	108 13 10	...	0 0 0
Norton, Ensign George Earle	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
by Blois	7 Feb. 42	0	1600	...	28 8 7 1	0	0	...	322 15 1	...	2 11 7	0	1600	...	320 3 6	...	0 0 0
Norval, Dr. Joseph,—Account for sundry next of kin	12 Feb. 62	0	700	...	74 10 6	0	0	...	730 2 0	...	411 11 3	0	0	...	318 6 9	...	0 0 0

* Bank of Bengal Shares.

B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.					
		Government Securities.		Cash.		Government Securities.	Cash.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs. A. P.	Sa. Rs. Co. Rs.	Government Securities.	Cash.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.	Cash.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.	Cash.	Rs. A. P.	Rs. As. P.			
		Sa. Rs. Co. Rs.	To Credit.	To Debit.	Rs. A. P.																Sa. Rs. Co. Rs.	To Credit.	To Debit.
O.	18 Nov. 57	0	0	41 11 6	0 0 0	0	0	0	0	0	0	41 11 6	0	0	0	0	0	0	38 11 6	0 0			
O'Brien, James Lloyd	23 Sept. 53	0	1000	282 2 3	0 0 0	0	0	0	0	0	0	282 2 3	0	0	0	0	0	0	301 9 3	0 0			
O'Brien, Mrs. Elizabeth, — Trust Account of James Alexander Elliot	24 Aug. 52	1200	900	3440 4 9	0 0 0	0	0	0	0	0	0	3440 4 9	0	0	0	0	0	0	0	0 0			
O'Connor, Sub-Comdr. Thomas	12 Jan. 61	0	3600	47 9 10	0 0 0	0	0	0	0	0	0	47 9 10	0	0	0	0	0	0	142 4 1	0 0			
O'Dell, Captain William	3 Nov. 58	0	3000	186 5 4	0 0 0	0	0	0	0	0	0	186 5 4	0	0	0	0	0	0	257 15 4	0 0			
Ogle, Mrs. Matilda																							
O'Hanlon, Patrick, — Share Account of the Children of the late H. M. O'Hanlon	24 Mar. 51	0	11400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	762 10 6	0 0			
Revd. W. M. O'Hanlon	Ditto	0	17600	451 3 8	0 0 0	0	0	0	0	0	0	451 3 8	0	0	0	0	0	0	0	32 2			
Onslow, Henry Phillips	3 Oct. 63	0	1500	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0 0			
Orchard, Mrs. Maria Esperanza	Ditto	0	500	313 1 0	0 0 0	0	0	0	0	0	0	313 1 0	0	0	0	0	0	0	161 4 11	0 0			
Ord, William Christopher	13 June 56	0	8500	407 4 6	0 0 0	0	0	0	0	0	0	407 4 6	0	0	0	0	0	0	325 0 0	0 0			
O'Reilly, Barnard	21 Aug. 27	0	1400	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0 0			
Orr, Patrick James	15 June 58	0	38200	411 6 5	0 0 0	0	0	0	0	0	0	411 6 5	0	0	0	0	0	0	68 14 3	0 0			
Oswald, Lieutenant Alexander	25 June 49	0	3500	155 11 2	0 0 0	0	0	0	0	0	0	155 11 2	0	0	0	0	0	0	304 12 0	0 0			
Owens, Ensign Edward Lloyd	9 Aug. 62	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	223 11 2	0 0				
P.																							
Page, Lt. Elijah David, — Share Account of Geo. Page and Charles Alfred Page, Children of the deceased by his former marriage	30 Nov. 60	0	2600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	126 10			
Palmer, Ensign George	17 May 33	600	0	5 10 0	0 0 0	0	0	0	0	0	0	5 10 0	0	0	0	0	0	0	18 0 10	0 0			

* Bank of Bengal Shares.

John	31 Aug. 54	...	165 14 5	...	790 0 0	...	38700	...	955 14 5	...	922 12 6	...	33 1 11	...
Lieutenant John	19 Jan. 52	...	298 4 9	...	14 0 0	...	700	...	312 4 9	...	0 7 0	...	311 13 9	...
Parke, David Rowan	20 Dec. 64	...	...	...	1979 4 0	...	1000	...	1979 4 0	...	1742 13 6	...	236 6 6	...
Parker, Captain Sir George, Bart.—Legacy Account of Miss Eliza Emma Marshall Parker	17 Jan. 59	...	129 13 0	...	37 8 0	...	1500	...	167 5 0	...	2 4 0	...	165 1 0	...
Legacy Account of Miss Gertrude Parker	Ditto	...	141 6 11	...	622 8 0	...	25000	...	763 14 11	...	622 8 0	...	141 6 11	...
Revd. William John	14 May 63	...	1870 3 11	...	...	...	...	...	1870 3 11	...	1870 3 11	...	...	...
Share Account of the two Children of the deceased Parkhouse, Sub-Cond. Samuel	Ditto	...	748 1 8	...	49 8 0	...	600	...	797 9 8	...	715 9 8	...	82 0 0	...
Parry, Henry	9 Jan. 65 Taken charge	...	...	...	9 0 11	...	...	...	9 0 11	...	0 2 2	...	8 14 9	...
Parson, Revd. Joseph	16 June 63	...	304 15 9	...	7 0 0	...	...	...	311 15 9	...	311 15 9	...	...	...
Paschoud, Frederick Smith, Account of F. A. Paschoud, Heir-at-Law	9 June 49	...	387 4 1	...	27 12 0	...	1200	...	415 0 1	...	2 2 2	...	412 13 11	...
Paterson, David (Mariner)	18 Dec. 55	...	...	...	40 0 0	...	2000	...	...	...	2 5 2	...	...	...
Patrick, Captain Francis, Legacy of Begum Jan	20 Dec. 64	...	...	...	868 15 6	...	...	...	868 15 6	...	496 6 1	...	372 9 5	...
Patterson, Lieutenant Thomas	23 May 43	...	76 6 2	...	227 4 0	...	9700	...	303 10 2	...	17 14 9	...	235 11 5	...
Francis	9 Jan. 43	...	132 11 3	...	25 0 0	...	1000	...	157 11 3	...	2 0 0	...	155 11 3	...
Pattison, Benjamin,—Share Account of Harriet Caro- line Pattison and Lydia Martha Ann Pattison, in- fant Daughters of the de- ceased	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Paul, Rutina	15 Nov. 61	...	...	...	161 15 0	...	...	...	532 3 2	...	221 0 5	...	301 2 9	...
Payne, Manuel,—Share Ac- count of John Hogan Payne, Heir-at-Law	28 July 56 17 Jan. 59	...	46 13 0 102 12 3	...	440 0 0 ...	...	22000 ...	...	486 13 0 102 12 3	...	425 14 0 102 12 3	...	60 15 0 ...	...
Peake, Riding Master Samuel, —Share Account of Miss E. S. Peake	21 Oct. 51 27 Jan. 51	...	...	...	50 0 0 ...	...	2500 700	...	...	...	1 8 0 ...	...	...	227 7
Share Account of Miss J. L. Peake	Ditto	...	741 14 9	...	...	...	...	...	741 14 9	...	693 2 1	...	48 12 8	...
Pearch, James	...	...	...	...	12 0 0	...	600	...	...	...	0 4 0	...	...	...
Pearson, Mrs. Margaret Luke	1 Oct. 58	...	1499 2 0	...	...	...	1500	...	1499 2 0	...	1459 11 1	...	39 6 11	...
Pell, Mrs. Mary Ann	12 Aug. 50	...	258 3 7	...	44 0 0	...	2200	...	302 3 7	...	1 5 0	...	300 14 7	...
Pennell, Spencer Percival	...	...	...	...	...	...	500	...	...	...	...	...	...	...
Percival, Mrs. Elizabeth	26 Feb. 64	...	...	...	...	...	800	...	...	...	337 12 11	...	408 12 0	...
Perkins, Lieut. Henry Geo.— Share Account of Herbert Perkins, Brother of the de- ceased	19 Nov. 44 12 April 58	...	71 5 11	...	44 0 0	...	2200	...	115 5 11	...	3 5 2	...	112 0 9	...
Peters, Capt. Cuitano Eugenio	14 June 53	...	24 1 2	...	...	...	...	...	24 1 2	...	...	...	24 1 2	...
—, George	3 June 47	...	...	...	309 10 0 24 0 0	...	500 1200	...	...	...	...	...	...	...
...	...	...	250 11 5	...	...	...	...	...	274 11 5	...	1 11 2	...	273 0 3	...

B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.			
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.	
		Sa. Rs.	Co. Rs.	To Credit.		Sa. Rs.	Co. Rs.	To Debit.		Sa. Rs.	Co. Rs.	To Credit.		Sa. Rs.	Co. Rs.	To Debit.		Sa. Rs.	Co. Rs.	To Debit.	
				Rs.	A. P.			Rs.	A. P.			Rs.	A. P.			Rs.	A. P.			Rs.	A. P.
P	R																				
Pignu, Thomas	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pirob, Gaitano	9 May 62	0	500	14	2 7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Plum, Captain Edward Charles	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Plunkett, Captain John (Mariner)	28 Jan. 51	500	5900	220	8 7	0	0	6	4 7	0	0	0	0	0	0	0	0	0	0	0	
Plunkett, Captain John	22 June 58	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Polehampton, Revd. Henry	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Polehampton, Revd. Henry	...	0	900	101	3 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Polehampton, Revd. Henry	24 Mar. 58	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pollock, Captain Hugh Trevor	3 Sept. 63	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pollock, Captain Hugh Trevor	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pope, Sergeant John	7 Sept. 60	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pope, Sergeant John	2 Feb. 64	0	2500	42	3 0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Popham, Major-Genl. George	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Popham, Major-Genl. George	4 Sept. 38	13600	0	4	5 5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Popham, Major-Genl. George	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pote, Charles	18 Jan. 60	0	0	94	9 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pote, Charles	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Potter, Mrs. Mary Ann	20 April 57	0	500	140	5 5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Potter, Mrs. Mary Ann	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Potter, Mrs. Mary Ann	20 Mar. 37	0	5100	355	1 6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Potter, Mrs. Mary Ann	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Powell, Edwin Plantagenet	18 May 60	0	500	25	5 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Powys, Lieutenant John	15 Dec. 58	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Presgrave, Captain Duncan	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Presgrave, Captain Duncan	3 Sept. 63	0	2500	370	2 11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Presgrave, Captain Duncan	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Presgrave, Captain Duncan	12 June 51	0	2800	259	8 10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pullen, John Mansdan West	28 June 64	0	0	965	8 6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
R.	...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		

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B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.				
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		
		Sa. Rs.	Co. Rs.	To Credit.	To Debit.	Sa. Rs.	Co. Rs.	Rs. A. P.	Rs. A. P. P.	Sa. Rs.	Co. Rs.	Rs. A. P.	Rs. A. P. P.	Sa. Rs.	Co. Rs.	Rs. A. P.	Rs. A. P. P.	Sa. Rs.	Co. Rs.	To Credit.	To Debit.	
																						Bank or other Stock, as well as Bonds or other Securities not being Government Securities.
R.																						
Rose, James	17 Feb. 63	0	0	620 8 7	0 0 0	0	0	0	0	0	0	0	0	0	0	630 8 7	0	0	0	0	0	0
Ross, Lieut.-Col. David	7 July 58	0	0	265 5 10	0 0 0	0	0	0	0	0	0	0	0	0	0	265 5 10	0	0	0	0	0	0
Rothwell, James	1 Nov. 59	0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	25 4 0	0	0	0	0	0	0
Ryan, Mrs. Bridget	25 Nov. 57	0	500	295 13 0	0 0 0	0	0	0	0	500	0	0	0	0	0	322 6 0	0	0	0	500	0	0
—, Sergeant J.	taken charge 2 Sept. 59	0	3200	199 15 2	0 0 0	0	0	0	0	3200	0	0	0	0	0	278 15 2	0	0	0	3200	0	0
S.																						
Sadlier, Lieutenant Thomas	28 June 64	0	0	0 0 0	91 12 0	0	4100	0	0	0	0	0	0	0	0	4123 8 6	0	0	0	4400	0	0
Rothwell	4 June 68	0	7500	15 8 8	0 0 0	0	0	0	0	0	0	0	0	0	0	1886 0 8	0	0	0	75000	0	0
Sainte, Antoine Francois	22 July 61	0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	831 14 0	0	0	0	0	0	0
Salkeld, Lieutenant Philip	9 Dec. 64	0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	4656 13 0	0	0	0	0	0	0
Salmon, Capt. William Taylor		0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	4656 13 0	0	0	0	0	0	0
Salter, Charles Henry,—Share		0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	4656 13 0	0	0	0	0	0	0
Account of Ella Augusta		0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	4656 13 0	0	0	0	0	0	0
Salter, Daughter of the deceased	5 Oct. 55	0	2000	328 4 8	0 0 0	0	0	0	0	0	0	0	0	0	0	40 0 0	0	0	0	2000	0	0
	Taken charge	0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	40 0 0	0	0	0	0	0	0
Sanderson, Alexander	25 Sept. 52	0	500	119 14 1	0 0 0	0	0	0	0	0	0	0	0	0	0	10 0 0	0	0	0	500	0	0
	Taken charge	0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	10 0 0	0	0	0	0	0	0
Sands, Alexander	28 Sept. 58	0	0	86 6 3	0 0 0	0	0	0	0	0	0	0	0	0	0	0 0 0	0	0	0	0	0	0
Satchwell, John	20 June 58	0	500	51 0 8	0 0 0	0	0	0	0	0	0	0	0	0	0	13 12 0	0	0	0	500	0	0
Vanreen	26 July 62	0	0	193 9 10	0 0 0	0	0	0	0	0	0	0	0	0	0	5 0 0	0	0	0	0	0	0
Saxton, Eldred Claudius	Taken charge	0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	5 0 0	0	0	0	0	0	0
Schollfield, John	26 April 61	0	0	158 5 11	0 0 0	0	0	0	0	0	0	0	0	0	0	0 0 0	0	0	0	0	0	0
Schramm, Louis	9 Oct. 63	0	0	193 7 0	0 0 0	0	0	0	0	0	0	0	0	0	0	22 0 0	0	0	0	0	0	0
Sectt, Mrs. Annie, Widow of		0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	22 0 0	0	0	0	0	0	0
J. G. Scott	6 Dec. 64	0	0	0 0 0	0 0 0	0	0	0	0	0	0	0	0	0	0	2729 11 3	0	0	0	0	0	0

* Sylhet and Cachar Tea Company's, "Limited," Shares.

† Bengal Coal Company's, "Limited," Shares.

B²

ESTATES.	Date of Administration.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.				
		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		Government Securities.		Cash.		
		Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Rs.	A. P.	
																						To Credit.
S.																						
Shuter, Richard Francis	19 July 61	0	0	446	8 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Richard Valpey	13 Feb. 43	0	500	70	5 5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Siddons, Major Geo. Richard	17 Feb. 57	1500	23500	227	15 7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sim, Charles Grant	{ Taken charge 4 Dec. 63	0	0	328	9 8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simpson, Mrs. Annie Eliza	5 May 64	0	0	753	4 5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Skene, George Alexander	21 Nov. 52	0	500	258	5 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Slade, Edward	28 July 57	600	4600	477	5 6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Slater, Mrs. Harriet Lydia	19 Mar. 57	0	1500	285	14 5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Smallpiece, Ensign Charles	8 Nov. 54	0	1500	14	12 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Smith, David	15 Dec. 58	0	500	99	6 11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
George	21 Nov. 62	0	0	12511	2 8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of the four Children of Wm. Smith, predeceased Brother of the deceased	Ditto	0	0	0	0 0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of the three Children of Thomas Smith, predeceased Brother of the deceased	Ditto	0	0	0	0 0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Share Account of the three Children of Jessie Grey, predeceased Sister of the deceased	Ditto	0	0	0	0 0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lieut.-Colonel George Acklom	27 Mar. 58	0	3900	444	1 6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
George Macallan Gow	18 Jan. 58	0	500	9	15 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Captain Henry	23 Dec. 63	0	0	885	10 9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Henry Scott	3 Aug. 61	0	0	0	0 0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
John (Mariner),—Share Account of William Longmuir, Son of the deceased	21 Dec. 61	0	700	49	8 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
James	3 Sept. 63	1800	0	41	2 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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B.

ESTATES.	Balance on 1st July 1864.				Receipts up to 31st December 1864.				Total.				Payments from 1st July to 31st December 1864.				Balance on 31st December 1864.											
	Date of Administration.	Government Securities.	Cash.		Government Securities.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Sa. Rs.	Co. Rs.	Sa. Rs.	Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Sa. Rs.	Co. Rs.	Sa. Rs.	Co. Rs.	Government Securities.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Cash.		Sa. Rs.	Co. Rs.	Government Securities.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
			To Credit.	To Debit.														To Credit.	To Debit.									
T.	14 June 47	0	700	196 14 6	0 0 0	0 0 0	0 0 0	17 8 0	0 0 0	0 0 0	0 0 0	700	0 0 0	214 6 6	0 0 0	0 0 0	0 0 0	1 5 0	0 0 0	0 0 0	0 0 0	700	0 0 0	213 1 6	0 0 0	0 0 0	58 0 0	
Trower, Captain Charles Farquhar	...	0	0	0 0 0	0 0 0	...	0 0 0	0 0 0	0 0 0	...	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	58 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
Tucker, Lieut-Colonel Thomas Tudor	30 July 58	0	6100	420 15 11	0 0 0	0 0 0	0 0 0	162 12 0	0 0 0	...	0 0 0	6100	0 0 0	583 11 71	0 0 0	0 0 0	0 0 0	7 3 1	0 0 0	0 0 0	0 0 0	6100	0 0 0	576 8 10	0 0 0	0 0 0	0 0 0	
Tudor, Lieut-Colonel James Colley	15 Dec. 58	0	0	709 2 3	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	...	0 0 0	0 0 0	0 0 0	709 2 3	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	709 2 3	0 0 0	0 0 0	0 0 0	
Tully, Mrs. Maria	15 Dec. 56	0	1500	435 13 8	0 0 0	0 0 0	0 0 0	30 0 0	0 0 0	...	0 0 0	1500	0 0 0	465 13 8	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	1500	0 0 0	464 9 6	0 0 0	0 0 0	0 0 0	
Turnbull, John Law	18 June 61	0	199000	722 4 9	0 0 0	0 0 0	0 0 0	9277 13 0	0 0 0	...	1000	200000	0 0 0	10000 1 9	0 0 0	0 0 0	0 0 0	4114 5 5	0 0 0	0 0 0	0 0 0	200000	0 0 0	5885 12 4	0 0 0	0 0 0	0 0 0	
Turner, Captain Athill	25 Jan. 58	0	4800	75 1 2	0 0 0	0 0 0	0 0 0	121 12 0	0 0 0	...	0 0 0	4800	0 0 0	136 13 2	0 0 0	0 0 0	0 0 0	119 14 9	0 0 0	0 0 0	0 0 0	4800	0 0 0	76 14 5	0 0 0	0 0 0	0 0 0	
—, William	14 Mar. 63	0	2000	114 2 10	0 0 0	0 0 0	0 0 0	166 9 5	0 0 0	...	0 0 0	2000	0 0 0	280 12 3	0 0 0	0 0 0	0 0 0	280 12 3	0 0 0	0 0 0	0 0 0	2000	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
—, Share Account of J. L. Turner	Ditto	0	0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	...	1000	1000	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	126 9 5	0 0 0	0 0 0	0 0 0	1000	0 0 0	0 0 0	126 9	0 0 0	0 0 0	
—, Share Account of Miss A. E. Turner	Ditto	0	0	0 0 0	0 0 0	0 0 0	0 0 0	117 6 8	0 0 0	...	1000	1000	0 0 0	117 6 8	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	1000	0 0 0	117 6 8	0 0 0	0 0 0	0 0 0	
V.																												
Valle, Bartholomew	9 Jan. 37	2000	4600	406 6 11	0 0 0	0 0 0	0 0 0	144 2 8	0 0 0	...	0 0 0	2000	4600	550 9 7	0 0 0	0 0 0	0 0 0	11 3 4	0 0 0	0 0 0	0 0 0	2000	4600	539 6 3	0 0 0	0 0 0	0 0 0	
Vauzette, Capt. George Lewis	22 June 35	0	600	329 6 9	0 0 0	0 0 0	0 0 0	12 0 0	0 0 0	...	0 0 0	0 0 0	600	341 6 9	0 0 0	0 0 0	0 0 0	0 13 7	0 0 0	0 0 0	0 0 0	0 0 0	600	340 9 2	0 0 0	0 0 0	0 0 0	
Vauquelin, John	27 May 50	500	4000	67 13 0	0 0 0	0 0 0	0 0 0	94 6 8	0 0 0	...	0 0 0	500	4000	162 3 8	0 0 0	0 0 0	0 0 0	2 10 0	0 0 0	0 0 0	0 0 0	500	4000	159 9 8	0 0 0	0 0 0	0 0 0	
Verdie, Jean Xavier	21 June 51	0	500	232 9 9	0 0 0	0 0 0	0 0 0	10 0 0	0 0 0	...	0 0 0	0 0 0	500	242 9 9	0 0 0	0 0 0	0 0 0	0 4 0	0 0 0	0 0 0	0 0 0	500	500	242 5 9	0 0 0	0 0 0	0 0 0	
Vilart, Captain and Prevot-Major Edward, — Share Account of Misses Georgiana Caroline and Louisa Hamilton Vilart	31 May 59	0	500	39 2 0	0 0 0	0 0 0	0 0 0	17 8 0	0 0 0	...	0 0 0	0 0 0	500	56 10 0	0 0 0	0 0 0	0 0 0	0 12 0	0 0 0	0 0 0	0 0 0	500	500	55 14 0	0 0 0	0 0 0	0 0 0	
Viguard, Simon	...	0	0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	...	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	56 3 3	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	56 3 3	0 0 0	0 0 0	
Vine, Captain George	23 May 48	0	101000	523 10 7	0 0 0	0 0 0	0 0 0	2020 0 0	0 0 0	...	0 0 0	0 0 0	101000	2543 10 7	0 0 0	0 0 0	0 0 0	2020 0 0	0 0 0	0 0 0	0 0 0	0 0 0	101000	523 10 7	0 0 0	0 0 0	0 0 0	
Virgin, John, — Share Account of Mr. Hubert and Miss Emma Virgin	23 Mar. 60	0	500	150 0 4	0 0 0	0 0 0	0 0 0	12 8 0	0 0 0	...	0 0 0	0 0 0	500	162 8 4	0 0 0	0 0 0	0 0 0	0 12 0	0 0 0	0 0 0	0 0 0	500	500	161 12 4	0 0 0	0 0 0	0 0 0	
Vignon, Francis, — Trust Account	5 July 29	2500	0	72 13 5	0 0 0	0 0 0	0 0 0	53 5 4	0 0 0	...	0 0 0	2500	0	126 2 9	0 0 0	0 0 0	0 0 0	102 7 0	0 0 0	0 0 0	0 0 0	2500	0	23 11 9	0 0 0	0 0 0	0 0 0	

B.

ESTATES.	Date of Administration.	Balance on 1st July 1864.					Receipts up to 31st December 1864.					Total.					Payments from 1st July to 31st December 1864.					Balance on 31st December 1864.				
		Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Government Securities.		Cash.		Bank or other Stock, as well as Bonds or other Securities not being Government Securities.
		Sa. Rs.	Co. Rs.	To Credit.	Rs. A. P.		Sa. Rs.	Co. Rs.	To Credit.	Rs. A. P.		Sa. Rs.	Co. Rs.	To Credit.	Rs. A. P.		Sa. Rs.	Co. Rs.	To Credit.	Rs. A. P.		Sa. Rs.	Co. Rs.	To Credit.	Rs. A. P.	
W.																										
Wenys,--Annuity Account of	15 Aug. 61	0	8600	221	8 7	...	0	0	0	0	0	0	0	236	8 0	...	0	0	0	0	0	0	0	0	0	0
Mrs. Agnes Campbell	...	0	0	0	0	...	0	0	0	0	0	0	0	287	5 0	...	0	0	0	0	0	0	0	0	0	0
West, James	...	0	0	0	0	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
W. W.	{ Taken charge	0	0	0	0	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
Wharton, Mrs. H.	5 June 57	0	0	60	15 2	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
Wheatley, Lieutenant Charles Edward	...	0	0	227	7 7	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
Whelan, Sergeant James	19 Nov. 59	0	3000	93	15 6	...	0	0	0	0	0	0	0	75	0 0	...	0	0	0	0	0	0	0	0	0	0
Whish, Lieutenant General	3 Feb. 60	0	0	145	3 8	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
William Samson, K. C. B.	6 Sept. 53	0	0	125	10 7	...	0	0	0	0	0	0	0	21	0 0	...	0	0	0	0	0	0	0	0	0	0
White, George Grindall	16 May 54	0	1200	...	...	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
Lieut.-Colonel Humphrey Jarvis, of 50th Native Infantry,--Share Account of	...	0	16700	5	1 4	...	0	0	0	0	0	0	0	1519	9 8	...	0	0	0	0	0	0	0	0	0	0
Miss A. F. J. White	6 May 60	0	0	102	0 6	...	0	0	0	0	0	0	0	250	0 0	...	0	0	0	0	0	0	0	0	0	0
Share Account of Master H. M. J. White	Ditto	0	12500	499	10 2	...	0	0	0	0	0	0	0	1600	4 0	...	0	0	0	0	0	0	0	0	0	0
Captain John	6 Oct. 07	0	74700	266	7 3	...	0	0	0	0	0	0	0	37	8 0	...	0	0	0	0	0	0	0	0	0	0
William	8 June 60	0	1500	...	...	...	0	0	0	0	0	0	0	1117	1 6	...	0	0	0	0	0	0	0	0	0	0
Captain John Reay	...	0	0	347	11 11	...	0	0	0	0	0	0	0	16	0 0	...	0	0	0	0	0	0	0	0	0	0
Wilcox, Richard	8 July 51	0	800	...	...	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
Wildig, Capt. Henry Park	22 June 58	0	0	22	9 5	...	0	0	0	0	0	0	0	15	0 0	...	0	0	0	0	0	0	0	0	0	0
Wilford, Colonel Francis	16 May 37	0	600	...	...	...	0	0	0	0	0	0	0	0	0	...	0	0	0	0	0	0	0	0	0	0
Share Account of Mrs. Matilda Warden	Ditto	56600	4800	237	6 6	...	0	0	0	0	0	0	0	1290	10 7	...	56600	4800	1528	1 1	...	0	0	0	0	0
Wilkins, Joseph	18 Feb. 59	0	1100	11	8 8	...	0	0	0	0	0	0	0	35	0 0	...	0	0	46	8 8	...	0	0	0	0	0
Willets, William	3 Jan. 56	1000	14300	519	6 8	...	0	0	0	0	0	0	0	323	9 4	...	1000	14300	843	0 0	...	0	0	0	0	0
Williams, Mrs. Mary	13 Oct. 40	0	1600	199	2 11	...	0	0	0	0	0	0	0	34	8 0	...	0	0	233	0 11	...	0	0	0	0	0
Mrs. Nancy	30 May 45	0	1200	502	12 4	...	0	0	0	0	0	0	0	90	0 0	...	0	0	592	12 4	...	0	0	0	0	0
Thos. Scoonfield,--Account for the next of kin of the deceased	26 May 56	0	3000	22	13 10	...	0	0	0	0	0	0	0	70	0 0	...	0	0	92	13 10	...	0	0	0	0	0

Williamson, Captain William	9 Mar. 58	...	565	10	2	...	1375	8	0	...	54000	...	1056	14	5	...	884	3	9	...
Willoughby, Lieut.-Colonel Richard	27 Oct. 25	...	353	13	9	...	43	12	0	...	2000	...	3	6	0	...	394	3	9	...
Wilson, Archibald	18 Nov. 57	...	194	2	11	...	20	0	0	...	1000	...	0	15	5	...	213	3	6	...
Wilson, Horace Hayman	20 Nov. 60	...	...	...	...	...	51750	4	2	...	...	...	51755	15	7	...	...	...	...	...
Wilson, Mrs. Jane	16 Mar. 59	...	220	2	0	...	55	0	0	...	2000	...	2	6	2	...	972	11	10	...
Wilson, George Skinner	7 Mar. 63	...	220	5	8	...	7	0	0	...	...	...	...	...	...	...	227	5	8	...
Wilson, Isaac	3 Sept. 63	...	1549	0	3	...	15	0	0	...	...	...	1564	0	3	...	...	...	...	...
Wilson, Share Account of the Children of the Late Wm. Wilson	Ditto	...	...	...	...	...	253	10	3	...	...	...	...	...	...	...	255	10	3	...
Wimberly, Lieutenant Edwin	...	...	...	...	...	...	3334	0	9	...	...	...	...	...	...	...	179	9	6	...
Woodcock, Elborough Edward	5 May 64	...	932	0	2	...	...	...	...	...	800	...	779	8	1	...	152	8	1	...
Woodcock, Lieutenant Hotham	...	...	...	...	...	...	2026	4	1	...	1500	...	1628	15	10	...	397	4	3	...
Wyatt, Dr. William, - Personal Account	23 Dec. 63	...	...	...	...	...	83542	0	8	...	71200	...	76270	15	5	...	5743	4	11	...
Wyatt, Captain Alfred	23 Jan. 57	...	88	15	0	...	42	10	8	...	2000	...	4	7	11	...	127	1	9	...
Wyatt, Robert Bentley	21 April 59	...	...	...	...	...	37	8	0	...	1500	...	37	7	5	...	...	...	...	...
Wyatt, Alexander, - Gift for the Children of the deceased	12 Jan. 61	...	392	7	7	...	46	12	0	...	1700	...	2	0	3	...	...	...	...	...
Wyatt, Share Account of the eight Children	11 July 59	...	524	6	1	...	90	0	0	...	4000	...	5	5	2	...	609	0	11	...
Wynne, Band-Master John	...	...	...	...	...	...	3146	0	0	...	1000	...	1289	8	1	...	1856	7	11	...
Wynne, Michael	8 June 60	...	96	11	0	...	...	...	...	...	...	...	...	...	...	...	96	11	0	...
Yerbury, James Browning	...	...	...	...	...	...	1674	15	1	...	...	...	1674	15	1	...	1571	4	11	...
York, Lieutenant James	1 June 58	...	412	2	3	...	12	8	0	...	500	...	424	10	3	...	424	1	3	...
Young, Mrs. Ann	18 May 41	...	21	5	11	...	152	4	0	...	7300	...	173	9	11	...	161	11	2	...
Young, Major Thomas, of 54th Native Infantry	26 June 82	...	417	8	0	...	14	0	0	...	700	...	...	...	...	...	430	6	10	...

* Bank of Bengal Shares.

E. E.,

C. S. HOGG,
Administrator-General.

CALCUTTA, }
The 31st December 1864.

SCHEDULE C. of all Sums of Money, Bonds, and other Securities received by the Administrator-General on account of HINDOO and MAHOMEDA Estates remaining under his charge, together with the Payments made thereout and the Balances, prepared up to the 31st December 1864, under Section XXXIV. of Act VIII. of 1855.

ESTATES.	Date of Administration.	Balance on 1st July 1864.						Receipts up to 31st December 1864.						Total.						Payments from 1st July to 31st December 1864.						Balance on 31st December 1864.						
		Government Securities.			Cash.			Government Securities.			Cash.			Government Securities.			Cash.			Government Securities.			Cash.			Government Securities.			Cash.			
		Sa. Rs.	Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	To Credit.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	To Debit.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	Rs.	A. P.	Sa. Rs.	Co. Rs.	Bank or other Stock, as well as Bonds or other Securities not being Government Securities.	To Credit.	Rs.	A. P.	Sa. Rs.	Co. Rs.	
A.	Assaram Burono	20 May 50	1100	7800	...	539 6 5	0 0 0	0 0 0	0	500	...	442 2 5	1100	8300	...	981 8 10	0	0	0	0	0	...	757 13 10	1100	8300	...	223 11 0	0	0	0	0	
B.	Banai Rao, Moharaj Baney Madub Mitter,—Joint Account of two Widows Beebee Aukafere Bidwell Hosseinee	19 Mar. 55 26 June 60 10 Sept. 41 29 April 56 Taken charge 1 Oct. 58	2200 0 0 500 0	454700 500 2800 2000 0	...	0 0 279 1 3 0 0 0 ...	350 7 5 25 10 7 0 0 0 21 7 8 ...	0 0 0 0 0 0 0 0 0 0 0 0 ...	9500 0 0 0 0	0	...	11553 10 11 37 8 0 59 12 0 50 10 8 ...	11700 0 0 500 ...	454700 500 2800 2000 ...	...	11203 3 6 11 13 5 338 13 3 29 3 0 ...	0	0	0	0	0	...	10007 2 1 2 4 0 4 10 9 2 2 1 ...	11700 0 0 500 ...	454700 500 2800 2000 ...	...	1196 1 5 9 9 5 334 2 6 27 0 11 ...	0	0	0	0	0
C.	Kattee alias Johanes Kattee Kuthky Mahondy Khanum. Mary Beharry Dossee	27 Aug. 39 12 Oct. 38 1 Aug. 34 31 July 38 Taken charge 19 Dec. 61	2200 0 0 1800 0	1900 500 600 6500 0	...	165 8 1 218 15 2 220 1 4 158 7 11 ...	0 0 0 0 0 0 0 0 0 0 0 0 ...	0 0 0 0 0 0 0 0 0 0 0 0 ...	0 0 0 0 0	0	...	91 14 11 10 0 0 12 0 0 168 6 4 ...	1900 500 600 6500 1000	...	257 7 0 228 15 2 232 1 4 326 14 3 ...	0	0	0	0	0	...	6 13 3 0 12 0 0 13 7 323 7 1 ...	2200 0 0 1800 0	1900 500 600 6500 1000	...	250 9 9 228 3 2 231 3 9 3 7 2 ...	0	0	0	0	893 8	
D.	Chunder Nissa Khatoon alias Bebee C. M. Hunter,—Account of Douglas Adam Hunter, sole Legatee under the Will	10 May 60	0	3000	...	139 12 0	0 0 0	0 0 0	0	0	...	77 8 0	0	3000	...	217 4 0	0	0	0	0	0	...	89 12 2	0	3000	...	127 7 10	0	0	0	0	
H.	Dooley Chaund Johurry	24 Feb. 63	0	2100	...	449 10 9	0 0 0	0 0 0	0	500	...	806 6 0	0	2600	...	1256 0 9	0	0	0	0	0	...	486 7 4	0	2600	...	769 9 5	0	0	0	0	
	Harmoney Bewah, Sreemutty	15 July 63	0	1400	...	0 0 0	865 5 0	0 0 0	0	0	...	1489 6 2	0	1400	...	624 1 2	0	0	0	0	0	...	212 3 7	0	0	...	411 13 7	0	0	0	0	

SCHEDULE D. of Balances in the hands of the Administrator-General on the 31st December 1864 set apart to meet the admitted claims of Creditors against the undermentioned Estates:—

ESTATES.			ESTATES.			ESTATES.		
Balance on 31st Dec. 1864.			Balance on 31st Dec. 1864.			Balance on 31st Dec. 1864.		
Rs. A. P.			Rs. A. P.			Rs. A. P.		
A.			B.			ESTATES.		
Alkman, Lieutenant C. R.	106	1	Baber, Henry	...	...	Becher, Lieutenant R. A.	42	15
Aire, Captain J. R.	36	2	Bacon, Overseer Sergeant T. ...	...	...	Bell, Lieutenant and Brevet-Captain Thomas	19	9
Aloock, Captain R. P.	1061	13	Bagshaw, Lieutenant F. J. S.	...	...	---, Malouin	10	8
---, Lieutenant W.	84	9	Bailey, Jonathan	...	...	Bellew, F. D.	77	1
Alexander, Lieutenant D. O.	986	8	Baird, Ensign G. W.	...	...	Bennet, Lieutenant J. P.	43	6
---, Ensign G. W.	51	2	Baker, Brevet-Captain Frederick	...	...	Bennett, Sergeant J. S.	27	10
---, James	38	15	Baldry, Private John	...	...	---, Captain J. S.	35	8
---, Lieutenant J. S.	36	9	Balk, Captain R.	...	...	Benson, Major W.	8	13
---, Lieutenant R. W.	115	10	Ballards, Captain A. (Mariner)	...	...	Bentley, Mrs. F.	27	13
---, Ensign W. F.	39	5	Ballard, W. J.	...	...	Bentley, W.	9	9
Allan, R. W.	96	5	Banks, Major J. S.	...	...	Berkeley, L.	65	0
Allardice, Lieutenant J. G.	179	11	Barber, Dr. J.	...	...	Besnard, R. L.	131	15
Alston, Captain W.	65	5	Barclay, Lieutenant A.	...	...	Beverley, George	643	15
Amies, Riding-Master W. E. H.	179	0	Barlow, Captain G. R. P.	...	...	Biggs, Veterinary Surgeon George	3	15
Ammun, J. R. A.	526	7	Barry, Captain H.	...	...	Bignell, Captain W. E. P.	161	13
Anderson, Charles	44	5	Bartlett, Lieutenant J. A.	...	...	Billings, H. W.	171	10
---, Major J.	18	2	---, Pilot Master T.	...	...	Bizzett, Dr. W. W.	90	5
---, Lieutenant J. W. S.	282	7	Barwell, Lieutenant E. W.	...	...	Black, Captain William	107	11
---, Major P. C.	102	1	Basse, Dr. C. F.	...	...	---, Dr. J. H.	67	7
---, Cornet R.	31	4	Bathurst, John	...	...	Blackall, Thomas (Deputy Collector)	88	5
---, Lieutenant R. W.	38	12	Battye, Lieutenant Q.	...	...	Blackburne, Lieutenant T. G.	23	0
Anderton, Lieutenant H. C.	35	3	Bax, Lieutenant G. J.	...	...	Blackwood, Assistant Surgeon James	23	10
Andlan, Captain the Baron F. V.	37	8	Baydon, Major R.	...	...	Blair, Lieutenant-Colonel C. D.	168	13
Apperly, Captain H., of Horse Artillery	295	13	Bayles, Captain T.	...	...	Blake, Lieutenant G. C.	839	14
Appleford, J.	73	7	Bayley, Lieutenant J. M.	...	...	---, M.	18	7
Archer, Henry	18	7	Beatson, Captain C. J.	...	...	Blaney, A. B.	964	14
Ashburner, Lieutenant B.	26	8	---, George	...	...	Blayds, Lieutenant Thomas	282	9
Ashie, Lieutenant St. George	172	0	Bebee Hosseince	...	...	Bloomfield, Lieutenant C. R.	243	9
Aslad, E. H.	3	0	Bebee Sarah Russell	...	...	Boileau, Major H. C.	49	0
Aubert, Lieutenant F.	285	13	Becher, Mrs. Elizabeth	...	...	Boisragon, Captain C. H.	4	12
Auld, James	26	13	...	...	...	Bolshaw, F. G.	5	7
Ansten, Captain G. P.	209	11	...	...	...	Bordien, Mrs. H.	83	0

Balance on 31st Dec. 1864.	Rs. A. P.
16	6
51	14
32	8
22	12
365	7
72	8
16	0
590	4
55	0
100	6
0	13
28	11
6	7
189	0
19	8
3	4
43	0
318	15
214	12
5	13
357	15
15	0
141	6
169	1
695	14
519	7
239	9
50	0
374	3
11	14
7	0
40	15

Roulois, Lieutenant A.	45	15	6	Caddell, Captain W.	280	3	10	Connolly, Lieutenant C.	49	8	0
Bourcier, Lieutenant P.	124	3	9	Cameron, F. M.	38	12	8	Brevet-Captain E. B.	1835	12	6
Boardieu, Lieutenant-Colonel J.	141	10	7	Campbell, Major A.	184	8	11	Cooper, Lieutenant B. S.	193	13	4
Boarke, J. B.	50	4	6	N. H. A.	4	12	8	Lieutenant L. H.	2006	3	0
Bowie, Lieutenant A. B.	15	9	2	A. E.	8	11	9	Colonel J. C.	65	1	5
Bowring, Captain G. G.	29	0	11	Ensign A. F. M.	327	10	1	Copeland, Lieutenant J. E.	70	4	6
Box, Captain Thomas	296	0	0	Cannon, Captain F. W.	83	8	10	Cops, Captain Alfred	83	2	0
Boyd, Lieutenant F. B.	808	6	1	Cape, Lieutenant J.	62	12	6	Corker, Veterinary Surgeon C.	7	2	1
Boyle, Revd. W.	549	5	7	Cardew, Lieutenant A.	13	2	2	Corser, E.	18	4	0
Boys, Captain W. J. E.	30	15	5	Carlyon, Lieutenant C.	32	9	11	Cotton, Lieutenant-Colonel Henry	550	2	0
Bracken, Captain John	16	15	11	Carroll, Lieutenant C. M.	243	3	6	Cowley, Major C. W.	217	8	1
Bradbury, S. W.	15	15	2	Carter, Apothecary G. E.	32	7	8	Cox, Captain G. H.	24	11	11
Bridgeman, Ensign C. O. H.	396	13	3	Carty, Lieutenant H.	190	7	6	Crafter, Richard	13	12	0
Brierley, R.	17	3	5	Cary, John	2054	0	8	Crafter, R. G.	5	1	0
Bright, G. W.	1640	0	0	Cary, Lieutenant S.	2786	1	7	Craig, Alexander	129	8	0
Brightman, Edward	938	3	4	Caspersz, Mrs. L. L.	128	4	5	Craigie, Lieutenant A. W.	51	12	0
Broadfoot, Major G.	4075	2	3	Cathcart, Lieutenant James	32	12	8	Dr. George	164	10	5
Brodie, Lieutenant F. W.	138	2	11	Robert	37	0	7	Crawford, Lieutenant A. R.	74	0	11
Brown, Lieutenant John	57	4	2	Cattamole, Lieutenant E. G.	358	7	4	Creighton, Lieutenant Robert	31	10	5
W. J.	13	0	0	Cauntor, Lieutenant John Eales	18	15	0	Croly, Lieutenant P. R.	115	6	10
Dr. A.	15	10	0	Chalmers, Lieutenant W. A.	11	11	6	Croly, Lieutenant G. A.	158	15	4
Mrs. Caroline	302	2	10	Chase, Captain D. A.	313	6	5	Crosbie, Assistant Surgeon P. M.	682	12	7
Serjeant-Major F. B.	98	11	2	Chattelier, Sub-Assistant Surgeon J.	33	9	3	Crow, M.	47	12	1
John (late of Cawnpore)	31	13	4	Charasse, Dr. W. B.	29	11	3	Cumberlege, Major John	417	6	0
Browne, Colonel B.	150	10	4	Cheyne, Surgeon G. M.	198	14	0	Cunliffe, C. W.	301	5	0
Lieutenant G. D.	7	4	8	Childs, Captain R. H.	147	14	0	Lieutenant F. J.	705	4	7
Lieutenant-Colonel L.	456	11	4	Chisholm, J. S.	161	15	6	Cunningham, Captain J. D.	1322	0	8
J. G. W.	35	6	0	Christian, G. J.	22	0	0	Currie, Captain J. A.	68	6	1
R. W.	283	6	4	Christie, Brevet-Major E.	93	9	3	Assistant Surgeon J. A.	99	14	0
Brnere, Major C. F.	801	9	0	Collier, Captain C. R. H.	696	5	4	Cussen, Francis	13	6	5
Lieutenant J. E. J.	219	11	4	Churcher, T. H.	48	8	1	D.			
Lieutenant J. H.	93	11	1	Clark, D.	5518	10	5	DaCosta, Captain L. G.	51	14	0
Dr. G.	2	11	0	James	447	4	4	DeBrandy, Monsieur C.	59	4	0
Bunce, Captain John	714	5	8	E. N.	4	9	3	DeCourcy, Mrs. Mary	17	10	4
Burgess, Lieutenant F. J.	16	7	10	Private William	15	0	0	DeFountain, Captain A.	8	9	1
Burke, John	18	0	0	Clarke, Mrs. Jane	16	7	6	DeGama, J. X.	0	9	1
Burlton, Lieutenant P. H. C.	50	0	0	Claxton, William	11	4	0	DeMello, Mrs. Anna Maria	2	0	0
Captain F. M. H.	488	13	1	Clifford, W.	51	10	9	DeMomet, Lieutenant Theodore	89	7	10
Captain C. J. F.	1036	2	4	Cock, H.	89	0	8	DeRozario, P.	1	12	0
Burt, Captain J.	64	9	0	Cockrell, H. E.	199	10	8	DeSanta, Maria Revd. F. S. A.	202	12	6
Captain and Brevet-Major C. E.	5	0	0	Cole, C.	25	8	0	DeSouza, Mrs. B.	6	0	0
W. W.	66	9	2	Collett, G. S.	289	5	2	Daley, J. C.	16	15	8
G. A.	46	14	5	Collard, T. S. (Senior)	43	7	3	Dalston, Major G.	61	14	2
G. H. B.	5	13	9	Coman, Assistant Surgeon J. R.	96	6	1	Daniel, M. E.	321	4	4
G. H. B.	30	0	0	Conlan, Thomas	565	6	5				
Captain E. D.	84	12	0								
Captain the Honble R. B. P.											
Byrne, F. J.											

Gardner, Lieutenant H. F.	187	13	5	Grounds, Captain J. E., of 46th Native Infantry	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...</
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ESTATES.	ESTATES.		ESTATES.		ESTATES.	
	Balance on 31st Decem- ber 1864.	Rs. A. P.	Balance on 31st Decem- ber 1864.	Rs. A. P.	Balance on 31st Decem- ber 1864.	Rs. A. P.
I.						
Inlach, Alexander	14 8 0	Keith, Dr. D.	12 8 0	Lever, George Melville	260 2 1	
Ingelly, Lieutenant R. M.	546 9 5	Kellner, H.	8 0 7	Lewis, Lieutenant E. D. F.	250 0 0	
Innes, Lieutenant C. D.	5 2 6	Kemp, H. C.	13 4 0	Liddell, William	659 2 2	
Ireland Joseph	457 9 5	Kendall, Captain B.	249 8 0	Liddy, M. H.	75 8 8	
Irwin, Lieutenant T. S.	78 12 0	Kent, Lieutenant-Colonel R.	102 10 0	Littlefield, John	22 12 0	
		King, Lieutenant T. T.	135 10 1	Llewellyn, Dr. C.	2 15 0	
		Thomas	2 8 0	Llewellyn, J. B. W.	93 10 0	
		Kirk, Mrs. C. L.	1364 1 11	Lloyd, Ensign C. O.	6 2 2	
		Dr. K. W.	68 2 0	Lochner, W. C.	388 2 2	
		Knox, Lieutenant R. T.	1040 11 7	Logan, Lieutenant T. B., of 63rd Native Infantry	21 0 0	
J.		L.		Loose, B. E.	48 5 5	
Jackson, Mrs. C.	24 0 0	Laing, William	22 0 0	Loveday, Captain B. M.	82 5 5	
James, Dr. W. H.	40 3 0	Lamb, Dr. M. B.	59 2 0	Ludwig, P.	194 8 8	
Jellicoe, Major A. H., of 55th N. I.	538 2 0	Lambard, Lieutenant J., of 57th N. I.	322 3 8	Lucken, Lieutenant J. H. H.	10 4 1	
Jenkins, Lieutenant C. H.	53 0 7	Lambert, Lieutenant J.	1089 15 11	Lumsden, Lieutenant David	125 0 0	
Jervois, Lieutenant J. P.	110 4 7	Lane, C.	34 0 0	Lynch, Dr. W. E.	204 8 8	
Jenne, Lieutenant F. A.	80 6 5	Larkins, Major G.	2 0 0		603 6 6	
Johnson, Captain E.	36 0 5	Larnour, R. T.	53 14 5			
Johnson, Sergeant William	95 11 6	Latter, Captain Thomas	1634 11 8			
Johnston, George	65 12 0	Laughton, Colonel John	2789 1 4	McAuliffe, Lieutenant and Riding Master R.	47 0 0	
Jones, Key Sergeant J.	16 8 9	Law, W. A. (C. S.)	272 7 11	McBarnett, Captain G. G.	1515 0 0	
Jones, J. M.	85 10 8	Laws, W. W.	468 15 9	McCallan, Andrew	55 15 0	
Jones, J. M.	6 14 0	Leadbeater, Major W. E. B.	43 14 0	McDonald, Captain A. R.	2707 12 0	
Jones, J. W.	106 13 3	Leathes, Lieutenant H. S.	1 1 1	McDonald, Dr. C. J.	16 3 3	
Jordan, Captain C.	43 13 6	Leeson, Brevet-Major J.	815 5 1	McDonnell, Lieutenant F. J.	108 7 0	
Joynt, Mrs. Ann	131 2 5	Lelebar, Victor	34 14 6	McDowell, Lieutenant C. T. M.	597 10 1	
	59 8 0	Lemesurier, J. P.	862 7 11	McFarquhar, A. H.	270 11 0	
	122 0 6	Leslie, Lieutenant Sir N. R.	161 1 10	McGrath, Surgeon John	4 0 0	
		Lester, Lieutenant H. S.	404 9 6	McGregor, Brevet-Captain A. N. M.	5 12 10	
K.			12 13 11	McGregor, Lieutenant E. O. H.	178 9 1	
Kay, J. R.	56 8 0		70 14 1		299 12 0	
Keaveney, M.	169 4 5					
Keelan, Thomas	3 0 0					
Keighley, Captain C. H.	127 14 7					
Keiller, Major D. C.	24 4 9					

McGregor, Lieutenant F. A. R. M.	5	5	4	Maxwell, Brigadier-Colonel W. G.	84	5	0	Newman, Lieutenant R. G.	255	8	4
McKenly, Captain H. C.	791	3	9	Medlicott, George	64	10	2	Nicholls, George	32	13	0
McKenzie, George Hay	158	4	1	Mee, Ensign John E.	144	3	9	Nichols, Captain and Brevet-Major W. H.	1786	0	10
John	2	0	0	Meer Mahomed Ally Khan, (His Highness)	3680	4	9	Nicholson, Lieutenant-Colonel J.	432	11	11
McLean, Assistant Surgeon A.	151	4	0	Meiklejohn, H. C.	96	11	11	Nicolson, Lieutenant G. E.	257	10	5
McLean, Assistant Surgeon A.	94	11	0	Mellish, Captain D. G. A. F. H.	381	10	11	Nicolson, Lieutenant M.	9	5	0
McLellan, Captain A. M. L.	938	1	8	Melville, Philip	7	2	0	Nightingale, Assistant Surgeon M.	10	8	0
McLellan, Captain A. M. L.	834	8	1	Melville, A. L. (c. s.)	5	15	11	Norton, Mrs. Frances	176	0	0
McLellan, Captain A. M. L.	370	5	0	Mendes, F. P.	236	5	0	O.			
McLellan, Captain A. M. L.	198	9	4	Merewether, Brevet-Captain A.	300	6	5	O'Brien, J. L.	102	10	7
McLellan, Captain A. M. L.	348	2	5	Meridith, James	98	12	8	O'Connor, Sub-Conductor Thomas	23	15	6
McLellan, Captain A. M. L.	14	8	0	Middleton, R. B.	10	0	4	O'Dowda, Lieutenant R. C.	55	8	0
McLellan, Captain A. M. L.	12	1	9	Miles, Lieutenant C. F.	2	5	4	Oatley, Lieutenant J. P.	695	8	8
McLellan, Captain A. M. L.	21	12	0	Mill, Captain and Brevet-Major J.	2	8	3	Odell, Captain W.	50	0	0
McLellan, Captain A. M. L.	220	2	4	Moline, Staff Surgeon J. P.	31	4	0	Oliver, Andrew	10	15	3
McLellan, Captain A. M. L.	12	0	0	Molloy, Robert	81	2	8	Onslow, H. P.	181	4	11
McLellan, Captain A. M. L.	559	3	9	Money, Captain James	105	0	0	Oswald, Lieutenant A. J. T. E.	128	9	3
McLellan, Captain A. M. L.	210	1	3	Montgomery, Lieutenant-Colonel G. J.	51	3	2	Oulton, Thomas	3	10	7
McLellan, Captain A. M. L.	5	14	1	Moore, Ensign H.	3438	0	1	Ouseley, R. O.	147	3	6
McLellan, Captain A. M. L.	240	4	1	Revd. J. J.	90	15	0	Ovens, Ensign E. L.	75	3	2
McLellan, Captain A. M. L.	115	8	0	William Robert	250	1	7	Ovenstone, Captain D.	231	4	7
McLellan, Captain A. M. L.	84	8	10	Assistant Surgeon T.	176	4	10	Owen, C. B.	240	8	7
McLellan, Captain A. M. L.	22	13	0	W. J.	7	11	11	Assistant-Surgeon W. C.	13	0	1
McLellan, Captain A. M. L.	167	9	6	Morgan, Assistant Surgeon R. B.	25	11	7	Page, Lieutenant E. D.	180	4	3
McLellan, Captain A. M. L.	38	14	6	R. H.	90	15	9	Palmer, George	48	5	8
McLellan, Captain A. M. L.	175	1	8	Morris, Brevet-Captain A. B.	39	2	8	Paley, Captain William	53	13	7
McLellan, Captain A. M. L.	101	8	1	Lieutenant William Lucas Gordon, of 56th	308	8	0	Palmer, Sergeant E. W.	150	8	9
McLellan, Captain A. M. L.	278	11	10	Native Infantry	383	2	8	Park, G. F. W. J.	153	10	4
McLellan, Captain A. M. L.	14	0	3	Thomas	104	15	5	Parker, A. W. R.	114	10	0
McLellan, Captain A. M. L.	160	8	9	Morrison, Ensign C. M. W. B.	2	1	0	Parrott, J. G.	515	15	0
McLellan, Captain A. M. L.	25	3	1	Mosley, Brevet-Captain	23	4	0	Paterson, Major F. S.	398	13	0
McLellan, Captain A. M. L.	120	1	2	Montrie, Captain William	28	1	2	Paton, Dr. A.	6	0	0
McLellan, Captain A. M. L.	86	0	1	Mowatt, Lieutenant-Colonel J. L.	53	5	4	Patullo, Captain James	217	10	5
McLellan, Captain A. M. L.	208	6	2	Munro, D. E.	27	4	0	Paul, Lieutenant W.	36	7	0
McLellan, Captain A. M. L.	245	4	6	Captain J.	69	8	0	Payne, Carpenter Sergeant C. W.	5	0	0
McLellan, Captain A. M. L.	1939	0	0	Major	20	5	0	Payter, J. W.	16	0	0
McLellan, Captain A. M. L.	31	14	9	Murray, Lieutenant B. H.	8	0	11	Pearson, R. K.	26	5	1
McLellan, Captain A. M. L.	120	4	0	Lieutenant J. M.	389	15	5	Peel, Lieutenant J., of 37th Native Infantry	28	0	0
McLellan, Captain A. M. L.	145	0	0	Lieutenant A. W.	186	5	1	Pennington, R. C.	11	13	4
McLellan, Captain A. M. L.	116	8	0	Sergeant James	316	6	4	Perkins, Lieutenant H. G.	58	8	0
McLellan, Captain A. M. L.	3	0	0	N.	169	14	1	Perry, Ensign C. H.	79	4	6
McLellan, Captain A. M. L.	11	3	11	Napier, J. C.	229	8	1				
McLellan, Captain A. M. L.	40	12	11	Apotehary William							
McLellan, Captain A. M. L.	39	1	0	William							
McLellan, Captain A. M. L.	80	0	0	Narain Chand Set							
McLellan, Captain A. M. L.	69	10	7	Nash, Major S.							
McLellan, Captain A. M. L.	654	3	4	Naylor, C. T. M.							
McLellan, Captain A. M. L.	265	8	6	Nembhard, Lieutenant E.							
McLellan, Captain A. M. L.	47	13	0	Neuville, J. T.							

Sawell, Captain A. H. C.	37	10	9	Stedman, G. G.	8	10	4	Thompson, Ensign William	282	10
Sharkey, Lieutenant H. T.	94	7	1	Stephens, James	80	15	4	Thomson, Sir James (K. C. B.)	14	0
Sharpe, Lieutenant Edmund	0	6	1	Stewart, Alexander	191	3	10	Lieutenant-Colonel G.	201	7
Shaw, Lieutenant James	215	0	11	St. George, R. J.	1247	10	1	Captain M. A. F.	230	9
Sheehan, Band-Master Thomas	12	13	4	St. John, Lieutenant Sir R. D.	0	1	0	Captain F. R.	78	0
Shepherd, Lieutenant A. M., of 6th Light Cavalry	295	6	7	Stoddart, Major G. D.	142	11	6	Thornhill, Captain A.	11	14
Sherriff, Lieutenant D. F.	37	10	9	Stokes, Dr. J. M.	432	4	7	J. B.	4	0
Shirref, Major F.	53	11	4	Stone, M. B.	168	1	3	Tidcombe, Lieutenant Thomas	26	13
Sutcliffe, Lieutenant F.	100	4	3	Stowell, C. S.	69	11	4	Tierney, Assistant Surgeon J. F.	8	11
Sutcliffe, Lieutenant F.	193	14	9	Stroyan, Stuart	187	10	5	Till, Gilbert	2	8
Sutton, Captain W. Y.	2	9	6	Struthers, Brevet-Major W.	133	11	9	Tinnings, Captain H.	14	8
Sim, Lieutenant H. G.	391	15	9	Stuart, Dr. A. M.	20	1	3	Tonze, Mrs. M.	138	6
Simons, A. M.	144	14	3	W. S.	63	6	0	Toulmin, Edward	10	0
Sinclair, Lieutenant Henry	23	3	0	Sutherland, Captain and Brevet-Major A. G. C.	171	7	9	Treanter, Lieutenant T. H.	4	1
Sitwell, Ensign W. H.	27	1	6	John	410	12	5	Treanter, Sub-Assistant Surgeon G.	673	3
Slade, E.	58	3	7	William	705	3	4	Towers, Ensign J. O.	74	12
Slater, Mrs. H. L.	42	8	0	Sweetland, W. H. M.	81	9	0	Trotter, Charles	85	15
Slone, F.	32	0	7	Sweete, Lieutenant G. H. W.	5	8	10	Troup, Major W. A.	281	0
Small, A.	29	15	0	Swinden, W. W.	463	5	11	Trower, Captain C. F.	33	1
Smallpage, Lieutenant F. J.	42	10	0	Swinton, Captain S. C. A.	15	10	6	Tudor, Lieutenant-Colonel J. C.	1163	11
Smart, Captain J. E.	634	3	5	Symers, Captain A.	87	8	0	Tulloch, Lieutenant S. W. R.	55	0
Smith, John	35	13	2	T. S. C.	226	12	3	Tulloch, Captain Robert Henry	14	1
Smith, Henry	183	3	11	T. S. C.	58	5	1	Turner, Mrs. Ann	28	0
Lieutenant B. C.	616	7	4	T. S. C.	748	1	6	Turner, Captain A.	13	10
H. J.	7	12	0	Tabor, Captain S. J.	43	5	4	Lieutenant F. M.	259	9
Captain J. H.	43	4	11	Tait, Captain Thomas	175	7	4	Lieutenant and Brevet-Captain G. F. W.	143	6
Captain R. M.	10	0	0	Tait, Lieutenant W. L.	7	2	0	Captain J.	81	2
Captain S.	75	5	5	Tandry, Lieutenant F. L.	117	7	4	William	57	9
Ensign W. J.	111	9	9	Tapley, Lieutenant Richard	33	1	0	Twycross, Lieutenant W. S.	169	16
P. K.	48	10	2	Tarrakissen Banerjee	7	2	0	U.	100	10
G. M. G.	24	3	11	Tatham, Robert	38	7	0	Urquhart, Major C. F.	11	4
Captain J. W.	461	7	5	Tatlock, Assistant Surgeon W.	11	14	5	V.		
Captain H.	31	0	0	Taylor, Captain J. H. G.	10	4	0	Vallings, Lieutenant G. A.	11	3
Smyth, C. C.	255	7	6	Mrs. M. M., alias Dhermainville	28	9	11	Vanhomrigh, Captain H. D.	122	15
Solly, Lieutenant W. H.	8	0	0	William	726	13	2	Vanrenen, Lieutenant A. J.	341	15
Somerville, Captain M. R.	555	10	8	Tedford, Mrs. H.	7	8	0	Veal, Dr. William	205	4
Speed, D. W. H.	13	3	10	Templeton, Jeremiah	37	0	0	Vincent, Ensign Robert	122	13
Speke, Lieutenant E.	188	14	0	Thackwell, Lieutenant O. D.	5	8	3	W.		
Spence, Lieutenant John	325	7	3	Thomas, Captain F. H.	164	7	8	Waddy, Captain W. P.	23	14
Spencer, Brevet-Major R.	45	1	0	Joseph	453	5	3	Wallace, Lieutenant F.	89	8
Spiller, Major F. J.	24	1	2	Thompson, Henry	342	5	3	Lieutenant-Colonel N.	227	13
Mrs. Louisa	437	3	11	Thompson, James, of 19th N. I.	5	0	0			
Spilsbury, Dr. G. G.	58	6	8	Thompson, James, of Artillery	3	0	0			
Sproh, Lieutenant G. H.	76	1	0	Captain R.	42	4	8			
Staples, Lieutenant M.	9	12	0		118	14	1			
	237	12	2		325	8	6			
	127	3	2		718	0	0			

D.

ESTATES.		Balance on 31st Decem- ber 1864.	ESTATES.		Balance on 31st Decem- ber 1864.	ESTATES.		Balance on 31st Decem- ber 1864.	ESTATES.		Balance on 31st Decem- ber 1864.
		Rs. A. P.			Rs. A. P.			Rs. A. P.			Rs. A. P.
W.											
Wallace, Sergeant William	...	24 2 5	Whiffin, Thomas	...	24 2 5	Wilson, Assistant Surgeon John	...	107 5 9	...	21 9	...
Walsh, C.	...	4 0 0	Whish, Lieutenant E. S.	...	4 0 0	Winniett, Lieutenant A. W.	...	7 15 0	...	17 6	...
Ward, Brevet-Major Thomas	...	35 7 7	Whistler, Lieutenant G. H.	...	35 7 7	Wishart, W.	...	73 13 9	...	149 6	...
—, T. C. B.	...	306 13 5	White, C. P.	...	306 13 5	Wollen, Lieutenant J. G.	...	56 12 8	...	380 6	...
Warde, Lieutenant W. W., of 56th N. I.	...	396 8 9	—, Captain E. J.	...	396 8 9	Woodburn, Dr. D.	...	73 1 0	...	310 12	...
Warne, Captain G. F.	...	28 1 3	Wigney, Lieutenant C. W.	...	28 1 3	Woodhouse, Captain C. R.	...	168 14 7	...	1682 12	...
Warner, Captain and Brevet-Major W. H.	...	16 6 0	Wilkinson, Captain H. R.	...	16 6 0	Worsely, Major H. N.	...	167 6 1	...	224 11	...
Warren, Lieutenant C. H. L.	...	208 1 3	Williams, Lieutenant-Colonel S.	...	208 1 3	—, Lieutenant-Colonel Thomas	...	280 12 9	...	673 3	...
—, Lieutenant D. C.	...	24 13 11	—, T. S.	...	24 13 11	Wray, Assistant Surgeon C. W.	...	116 8 0	...	119 9	...
Waterfield, Major John	...	44 0 0	Williamson, Major E. A.	...	44 0 0	Wrench, Captain Alfred	...	75 7 0	...	62 1	...
Watkins, Dr. John	...	16 13 10	—, Brigadier George	...	16 13 10	Wrixon, R. B.	...	806 10 11	...	88 15	...
Watson, Dr. W.	...	171 2 0	—, Riding Master Thomas	...	171 2 0	Wyllly, Captain F. A.	...	294 13 6	...	1516 6	...
Waudby, Lieutenant W. R.	...	18 0 6	—, Captain W.	...	18 0 6	Y.	...	10 7 4	...	...	...
Wealins, James	...	6 0 3	Willis, George	...	6 0 3	Young, Lieutenant William	...	14 12 6	...	18 10	...
Weaver, John	...	12 15 2	Willoughby, Lieutenant G. D.	...	12 15 2	Younge, Mrs. Caroline	...	18 2 0	...	25 0	...
West, Richard Edward	...	121 13 3	Wilson, Mis. Jane	...	121 13 3	Youngehusband, Lieutenant G. D. A.	...	4819 3 0	...	81 3	...
Whelan, Lieutenant E.	...	94 13 2	—, Private John	...	94 13 2	...	...	52 7 11	...	...	...

E. E., C. S. HOGG,
Administrator-General.

Calcutta,
The 31st December 1864.

[illegible]

E.

ESTATES.		ESTATES.		ESTATES.	
Date of Administration.	Cash.	Date of Administration.	Cash.	Date of Administration.	Cash.
	Rs. A. P.		Rs. A. P.		Rs. A. P.
Gilmore, H. C. C.	24 1 8	Gregory, Mrs. F. A.	304 14 7	Heffernan, R.	26 11 4
Ginders, Dr. T.	120 1 8	Grenon, Captain F. J.	35 2 5	Hemming, Captain F.	1 14 3
Glanville, H. B. or H. V.	9 10 10	Griffin, Ensign J. C.	12 3 4	Henderson, G. H.	111 0 11
Glennie, Dr. W. R.	45 2 2	Griffiths, Evan	57 4 3	—, Lieutenant D.	379 4 0
Glomier, Mr. M. S.	5 14 11	Grindall, Lieutenant T. E.	1 4 10	Henley, Edward	441 13 3
Golding, Lieutenant G. W.	199 13 4	Grindall, Lieutenant F. C.	191 3 2	Henry, John	5 0 8
Goldworthy, Lieutenant F. S.	9 10 5	H.	175 12 2	Henry, Dr. W.	18 3 2
Goluckmoney Raur	13 14 2	Hajee Mahomed Ally	60 11 9	Hewes, H. H.	331 14 11
Gomes, Mrs. M.	25 5 5	Hall, H.	104 6 10	Hickie, Michael	137 9 4
Gonsalves, Mrs. A. M. B.	35 2 2	Hamilton, Lieutenant F. W. H.	3 15 7	Hickman, Mrs. M. A.	17 0 4
Goous, Miss Mary	21 2 8	Hampton, John	2 7 1	Hicks, Captain G. W. S.	46 9 0
Gordon, James	9 12 6	Handscomb, Brigadier-General J. H.	45 4 9	Higgins, G. F.	106 11 4
—, John	124 14 11	Hardwick, Captain Thomas	8 11 9	Hill, Lieutenant L.	33 4 1
—, Captain P.	102 0 0	Harknett, Thomas	52 1 10	—, J. M.	311 5 5
Graham, John	102 4 2	Harper, Lieutenant-Colonel W.	119 8 0	Hindmarsh, Captain J.	48 4 2
—, Robert	1 7 2	Hart, Captain and Brevet-Major S.	343 3 8	Hodges, Mrs. S.	3 8 9
—, R. B.	4 13 8	Hartley, Mrs. E.	40 4 11	Hodgson, Brian (c. s.)	79 11 0
Grant, Lieutenant-Colonel A.	411 14 8	Hatch, Lieutenant R. C.	214 9 3	Hood, W.	445 15 8
—, Lieutenant B. D.	161 12 1	Hay, Brevet-Captain E.	20 15 9	Hogg, A.	256 6 0
—, Dr. G.	6 4 1	Haynes, Assistant Surgeon William	20 7 6	Holgate, James	78 12 8
—, Dr. James (Civil Assistant Surgeon)	4 13 9	Heald, Thomas	119 10 6	Horn, P. S.	114 15 11
—, Sir J. P.	8 5 2	Heap, Thomas	176 0 0	Hopkins, Captain P.	3 6 8
—, William (Auditor)	149 14 0	Heard, W. J.	18 0 0	Hore, Major W., of Her Majesty's 67th Foot	75 6 11
Gray, Major J. C. C.	149 9 0	Heather, —Account of Legatees of Mathew Cranenburgh	222 1 3		
Graves, William	19 0 0				
Greenway, C. C.	21 Sept. 52				
Gregg, Lieutenant H. J.	13 Sept. 45				
Gregorie, Miss Julia	11 Dec. 46				
	6 Jan. 47				
	3 April 47				

[illegible]

Rank	Name	Service	Age	Pay	Gratuity	Notes
1	Patterson, Charles	...	...	...	...	...
2	Paton, J. J.	...	...	...	...	...
3	Paton, Captain John	...	...	...	...	...
4	Patterson, Charles	...	...	...	...	...
5	Paul, John	...	...	...	...	...
6	Paul, Mrs. Ann	...	...	...	...	...
7	Payne, Mrs. E.	...	...	...	...	...
8	Peach, Sergeant	...	...	...	...	...
9	Pearson, D.	...	...	...	...	...
10	Peckett, Colonel James	...	...	...	...	...
11	Pedderick, Henry	...	...	...	...	...
12	Peel, Lieutenant J., of 37th N. I.	...	...	...	...	...
13	Penny, Mrs. Margaret	...	...	...	...	...
14	Perron, General C.	...	...	...	...	...
15	Perry, Ensign C. H.	...	...	...	...	...
16	Pew, Colonel P. L.	...	...	...	...	...
17	Peychers, A.	...	...	...	...	...
18	Phillips, Captain R. H.	...	...	...	...	...
19	Phelps, Lieutenant W. F.	...	...	...	...	...
20	Pigon, William	...	...	...	...	...
21	Pilcher, C. P., Private of Her Majesty's 3rd Dragoon	...	...	...	...	...
22	Pinto, Francis D'Assis	...	...	...	...	...
23	Playfair, Lieutenant H. A.	...	...	...	...	...
24	Pole, A.	...	...	...	...	...
25	Poole, G. H. M.	...	...	...	...	...
26	Polan, Hammerman	...	...	...	...	...
27	Poynton, William	...	...	...	...	...
28	Price, Band-Master J. H.	...	...	...	...	...
29	Price, Joseph	...	...	...	...	...
30	Price, Captain J.	...	...	...	...	...
31	Priest, Pensioner Bombardier O.	...	...	...	...	...
32	Pringle, Captain R.	...	...	...	...	...
33	Prente, Monsieur J. L.	...	...	...	...	...
34	Pugh, Hugh	...	...	...	...	...
35	Purvis, Lieutenant William (n.s.)	...	...	...	...	...
36	Pyne, Lieutenant A. T.	...	...	...	...	...
37	Quarles, C.	...	...	...	...	...

